

Swindon Borough Council

Planning Committee

Tuesday, 9 July 2019

Council Chamber, Civic Offices

At 6.00 p.m.

Conservative Councillors

*Timothy Swinyard
Alan Bishop
Nick Burns-Howell
Malcolm Davies
Robert Jandy
Jenny Jefferies
Nick Martin
Vera Tomlinson*

Labour Councillors

*John Ballman
Paul Dixon
Steph Exell
Jane Milner-Barry
James Robbins
Peter Watts*

Liberal Democrat Councillors

Stan Pajak

Committee Officer: Shaun Banks (Telephone 07980 752047)
email:sbanks@swindon.gov.uk

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street,
Swindon, SN1 2JH (Telephone 01793 445500)

AGENDA

1. Apologies for Absence

2. Declarations of Interest

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes (Pages 1 - 20)

To receive the minutes of the meeting held on 11th June 2019.

4. Public Question Time

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. Determination of Planning and Related Applications (Pages 21 - 23)

6. S/OUT/19/0294/RA - Outline planning application for up to 43no. dwellings and associated works (Access not reserved), Land Off B4019, Broad Blunsdon, Swindon, SN26 8DJ (Ward Blunsdon and Highworth) (Pages 24 - 43)

7. S/19/0743 - Change of use of main dwelling to create 9 bed House in Multiple Occupancy (HMO), 74 Bath Road, Old Town, Swindon (Ward: Easctott) (Pages 44 - 58)

Date of Despatch: 09 July 2019

Key:

Officers:

HPRS&H - Head of Planning, Regulatory Services and Heritage

Public Question Time - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website.

(<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

Access Arrangements – *The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Officer above, as soon as possible prior to the date of the meeting.*

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

WELCOME TO THE PLANNING COMMITTEE OF SWINDON BOROUGH COUNCIL

NEW GUIDELINES - PLEASE READ

IF YOU HAVE COME TO SPEAK ABOUT AN APPLICATION THAT INTERESTS YOU PLEASE READ THE FOLLOWING GUIDELINES. THEY EXPLAIN HOW THE COMMITTEE DEALS WITH EACH ITEM. THESE GUIDELINES ONLY APPLY TO APPLICATIONS LISTED ON THE MAIN SCHEDULE IN THE AGENDA

- 1. THE COMMITTEE CHAIR CALLS THE ITEM**
- 2. PLANNING OFFICER PRESENTS THE APPLICATION**
- 3. WARD COUNCILLORS MAY SPEAK**
- 4. APPLICANTS AND/OR AGENT (5 MINUTES MAXIMUM IN TOTAL) WHO HAVE NOTIFIED THEIR INTENTION TO SPEAK ON THE ITEM TO THE COMMITTEE CLERK BY 12 NOON THE DAY BEFORE THE MEETING.**
- 5. PUBLIC SPEAKERS (INCLUDING PARISH COUNCIL)- WHO HAVE NOTIFIED THEIR INTENTION TO SPEAK ON THE ITEM TO THE COMMITTEE CLERK BY 12 NOON THE DAY BEFORE THE MEETING.**

(MAXIMUM 5 MINUTES EACH UP TO 2 SPEAKERS, IF MORE THAN 2 THEN MAXIMUM 10 MINUTES TOTAL SPEAKING TIME FOR ALL SPEAKERS)
- 6. PARISH COUNCIL REPRESENTATIVES (5 MINUTES MAXIMUM IN TOTAL) WHO HAVE NOTIFIED THEIR INTENTION TO SPEAK ON THE ITEM TO THE COMMITTEE CLERK BY 12 NOON THE DAY BEFORE THE MEETING.**
- 7. COUNCILLORS WHO HAVE DECLARED PERSONAL OR PREJUDICIAL INTERESTS MAY SPEAK**
- 8. MEMBER ONLY DISCUSSION, INCLUDING ANY FURTHER QUESTIONS TO OFFICERS OR ANYONE ELSE WHO HAS SPOKEN**
- 9. A PLANNING OFFICER WILL CLOSE THE ITEM BY COMMENTING ON ISSUES RAISED BY MEMBERS**
- 10. VOTE**
- 11. CHAIR BRIEFLY EXPLAINS DECISION IF NECESSARY**
- 12. NEXT BUSINESS**

THE 10 MINUTE MAXIMUM PUBLIC SPEAKING PERIOD WILL BE YOUR ONLY OPPORTUNITY TO SPEAK, UNLESS MEMBERS OF THE COMMITTEE WISH TO ASK YOU QUESTIONS UNDER GUIDELINE 7.

SPEAKERS WHO MERELY REPEAT POINTS ALREADY MADE BY OTHERS MAY BE ASKED TO STAND DOWN.

IF THERE IS MORE THAN ONE PERSON WISHING TO ADDRESS THE COMMITTEE EITHER AS AN OBJECTOR OR SUPPORTER, THEY ARE EXPECTED TO NOMINATE A REPRESENTATIVE FROM THE SPEAKERS LISTED TO REPRESENT THEIR COLLECTIVE VIEWS.

THE CHAIR AND THE COMMITTEE HAVE THE DISCRETION TO DEPART FROM THESE GUIDELINES, BUT WILL IN MOST CASES EXPECT ALL PARTIES TO ABIDE BY THEM.

PLANNING COMMITTEE

TUESDAY, 11 JUNE 2019

PRESENT: - Councillors Timothy Swinyard (Chair), John Ballman, Alan Bishop, Nick Burns-Howell, Malcolm Davies, Steph Exell, Robert Jandy, Jenny Jefferies, Nick Martin, Jane Milner-Barry, Stan Pajak, James Robbins, Vera Tomlinson and Peter Watts.

An apology for absence was received from Councillor Paul Dixon.

1. Declarations of Interest

The Chair reminded Councillors to declare any known interests in any of the matters to be considered by the Committee.
No such declarations were made.

Councillor Steph Exell made a personal and prejudicial declaration of interest in respect of application numbered S/18/1546/RM and left the room during the voting on the application.

2. Minutes

Resolved – That the minutes of the meeting held on 9th April 2019, be confirmed and signed.

3. Public Question Time

The Committee received public questions in respect of (a) what planning policies the Council was implementing to reduce carbon emissions, (b) what planning policies the Council would introduce to improve insulation on properties, the budget for such work and how many properties this would cover in the coming year, (c) what environment audit checks were being conducted by the Council in respect of planning applications, (d) whether the Planning Committee, on behalf of the Council, was willing to be pro-active in tackling climate change issues, (e) whether the Committee was sure that all applications granted would reduce carbon emissions, and (f) the time periods for consultation on applications and policies.

The Chair and Officers responded at the meeting and indicated that if the questioners provided the Committee Officer with their names and addresses, or provided the questions in writing, a more detailed written response would be provided.

4. S/18/1546/RM - Erection of a canopy and siting of storage container to existing car park for use as car wash/valeting bays, The Boundary House , 1 The Street, Moredon, Swindon

In respect of application numbered S/18/1546/RM (Erection of a canopy and siting of storage container to existing car park for use as car wash/valeting bays, The Boundary House, 1 The Street, Moredon, Swindon) the Committee considered: -

- (a) An application for permission to develop;

- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Michelle Rupnarin	Local Resident
Councillor David Renard	Ward Councillor

Councillors Alan Bishop, Malcolm Davis, Stan Pajak, Jim Robbins, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- Following work with the applicant the Council's Environmental Health team found the application acceptable, subject to conditions to ensure the amenity of local residents was protected.
- Drainage issues had been addressed and subject to conditions the drainage engineer was content with the application.
- Highways officers were satisfied that there was sufficient car parking on the site for both the Public House and Car Wash.
- There were no policy objections to the scheme and objections could be overcome through the imposition of conditions.
- Noise from the operation of a car wash should be kept to an acceptable level with an acoustic report required and noise mitigation measures to be put in place prior to the commencement of activities.

Submissions opposing the application can be broadly summarised as:

- The site was surrounded on three sides by residential properties which made the location inappropriate for the use proposed.
- Other car washes in north Swindon were located close to commercial properties and some distance from residential properties.
- There were concerns regarding drainage and noise.
- The suitability of the application should be seen in the light of the fact that none of the conditions were proposed in order to make it acceptable.
- There would be a clear loss of amenity for local residents should the application be granted.
- Objections to the application had been received from Ward Councillors, the Parish Council and local residents and these were referred to within the officer's report.
- A number of changes to the site's drainage would be required to conform to National Planning Policy, Local Planning Policy and best practice design guidance.
- There has been no noise assessment undertaken and the significance of this increases given the close proximity of residential properties and the long hours of operations proposed.
- There were concerns as to whether water spray from the operation of the car wash would affect neighbouring properties and whether such water would include chemicals.

- That assurance set out within the report were not considered credible by local residents.
- A previous application for a vending vehicle had been turned down because of the concern of the loss of amenity to residential properties in close proximity.
- Over the past twenty years the local area had seen considerable development including an elderly Persons Group Dwelling, a large doctor's surgery and a new housing estate which has created local congestion and associated pollution and this will be further exasperated in the application were granted.
- There were already 15 car wash sites in the town and another on an unsuitable site was not needed.
- The proposed operational hours of the car wash were also core hours for the public house which was a quiet pub that held functions during the day which would affect car parking availability on site having a knock-on effect for local residents as car-parking was pushed into nearby residential streets.
- Local properties and a children's play area directly looked over the site and people ate and drunk in the pub's gardens and would be subject to spray containing chemicals.
- Staff would be using protective clothing, local residents and pub patrons would not have access to these.
- Due to the cost the company running the car wash would be using industrial chemicals, albeit watered down affect the water spray from the site.
- People from the public house would be smoking in close proximity to chemicals.
- Chemicals from the car wash would adversely affect local wildlife including bees, butterflies, birds and bats some of which were on the endangered list.
- Local residential properties already suffered from low water pressure with old infrastructure and the car wash would almost certainly worsen this situation.
- Noise emanating from the operation of a car wash would adversely affect the amenity of local residents, especially adjoin properties.
- The quality of waste water was of concern as was the current surface water drainage of the site with the car park being the subject of standing water after rain.
- Work needed to be undertaken to establish were the drainage would be diverted and the potential effect on the local environment.

Resolved – That application S/18/1546/RM be refused for the following reason:

Reasons

1. The proposed development by reason of its location and activities associated with that use, will be likely to give rise to an adverse impact upon the amenity enjoyed by the occupants of nearby dwellings to the detriment of their living conditions contrary to Policy DE1 of the Swindon Local Plan.

(Councillor Steph Exell made a personal and prejudicial declaration of interest in respect of this application and left the room during the voting on the application.)

5. S/HOU/19/0196/FELY - Erection of a first floor front extension, 15 Whitefield Crescent, Peatmoor, Swindon

In respect of application numbered S/HOU/19/0196/FELY (Erection of a first floor front extension, 15 Whitefield Crescent, Peatmoor, Swindon) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Connor Thompson	Applicant
Councillor David Renard	Ward Councillor

Councillors John Ballman, Nick Martin, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- Materials proposed for the development were matching and care had gone into the application.
- The application was to allow the family to remain in their home as the applicants were expecting a child and in order to allow family to visit.
- An extension at No.2 Whitefield Way was of a similar build and design.

Submissions opposing the application can be broadly summarised as:

- The proposed first storey extension would project significantly from the main residence and would form a dominant feature to the street scene and approach to the property.
- The proposed extension would not in scale to its surroundings.
- The design was contradictory to Supplementary Planning Documents and would impact the amenity of 14 Whitefield Crescent through the loss of light to its living area.
- The addition of a further floor to the current garage would be overbearing.
- Other development in the locality were undertaken prior to the adoption of the current Supplementary Planning Documents and were of a different orientation.
- The concern relating to the loss of amenity was for current and future occupiers.

Resolved – That application S/HOU/19/0196/FELY be refused.

Reason

The proposal is contrary to Policy DE1 of the Swindon Borough Local Plan 2026 (2015), the Residential Extension and Alteration Supplementary Planning Document (2011) and the National Planning Policy Framework (2019) as by reasons of its

scale, appearance, prominent location and poor design. It is considered that the addition would be oppressive and have an overbearing impact that would result in harm to the residential amenity enjoyed by the occupants of No.14 Whitefield Crescent.

6. S/18/1617/SASM - Installation of a 7.5MW flexible generation plant, 2.4 metre security fence and associated works, Land At Wood Farm, Swindon Road, Wroughton

In respect of application numbered S/18/1617/SASM (Installation of a 7.5MW flexible generation plant, 2.4 metre security fence and associated works, Land At Wood Farm, Swindon Road, Wroughton) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
John Colombi	Applicant
Jennifer Joule	Agent
Jammie Taylor	Local Resident
Councillor Cathy Martyn	Ward Councillor
Councillor Brian Ford	Ward Councillor

Councillors Steph Exell, Jane Milner-Barrie, Stan Pajak, Jim Robbins and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The application was for a flexible low carbon generation plant involving the installation of four generators.
- The facility would burn mains gas to generate electricity to the local grid to meet short term demand fluctuations and would be distributed locally.
- The application met the requirement of Policy SD2 of the Local Plan to support development outside of the settlement boundaries.
- Policy IN4 production of low carbon energy and infrastructure was not defined in the Local Plan but was within the Paragraph 1.48 of the MPPF.
- The question was one supporting low carbon infrastructure to support peak demand periods rather than the production of low carbon electricity.
- This type of infrastructure had been regarded as Carbon Energy Infrastructure by the Planning Inspectorate and Policy IN4 subject to an assessment of its social and economic benefits, impact on the benefit to local communities and its environmental impact.
- Following the submission of impact assessments by the applicant there were no outstanding objections from Council Officers subject to conditions applied to the application.
- The application was compliant with the relevant policies within the Local Plan.
- The application supported renewable energy generation, such as wind or solar, which could not be relied upon to produce electricity when required

throughout the year and their output can change quickly and large scale power station could take a number of hours to become operational.

- Due to the cost of burning Natural Gas the generators would only be operational for a limited time each week.
- The Government and National Grid recognised the need and role of local power generation and in ensuring energy demand is met in the future.
- The application was for back-up generators that would only be used for limited time during peak demand or loss of nationally produced power.
- That schemes such as the proposed application were key to moving away from the use of major generating plants and in decarbonising energy.
- Technologies such as battery storage were not yet capable of guaranteeing energy supply and projects like this were needed in the transition to a dynamic low carbon grid.
- There was a clear officer recommendation for approval and this recommendation had been considered against national and local planning policy and neighbourhood plans and given it was low carbon infrastructure development was supported by the Council's Development Plan.
- There were no objections from Council Officers, Statutory consultees or the Parish Council and Natural England had raised no concerns.
- The term power station vastly over-stated the scale and impact of the proposed development which was a small scale scheme operating on a limited basis when there is insufficient energy being produced and its air quality and noise impact are low.
- Conditions were proposed to deal with noise and environmental issues.

Submissions opposing the application can be broadly summarised as:

- An on-line petition containing 91 signatures from Swindon and further afield had been received opposing the application.
- A late objection from the Wiltshire Branch of the Campaign to Protect Rural England on the grounds that the proposal was not renewable or low carbon, visible impact concerns and insufficient noise conditions to protect neighbours, the impact on the Berkley Farm housing and that it should be located on an industrial estate.
- The site was with a farm and access would require the removal of some hedge way.
- The development was not farm diversification under the meaning of Policy EC5 as the land would be rented with no further involvement in the activities.
- Gas was a fossil fuel and the country was trying to reduce its use of fossil fuels, indeed Swindon Borough Council had been successful in the installation of solar farms which supplied the local grid in the case of electricity shortage.
- The application could adversely affect those properties anticipated to be built as part of Wroughton's future expansion.
- The access for the site was Swindon Road in the middle of Wroughton and could not therefore be considered a rural site.
- The Prospect Hospice and local residential properties would be subjected to noise from the generator during its operation.
- The development was neither sustainable nor environmentally friendly, nor did it positively impact climate change as it burnt mains gas which was not a renewable energy source, was inefficient, nor did it constitute low carbon technology.

- The application was in effect an industrial unit placed close to residential units.
- There were no guarantees as to the annual operating hours or times of operation nor limits in place on its operation.
- The site was unsuitable due to the noise of operation being so great it required noise attenuation measures in the form of four meter acoustic barrier.
- The chimneys were higher than the proposed screening measures so would adversely affect the visual amenity of the area.
- The application cannot be considered farm diversification under Policy EC5.
- The measuring point of noise assessments and enforcement action, if required, were not properly addressed within the application.
- The effect of heat inversion was not adequately addressed within the application.
- The application was unsustainable, the site was unsuitable, there would be an unreasonable noise impact on existing and future neighbours, it would contribute to climate change, it uses fossil fuels, and did not contribute to the Council's vision to reduce Swindon's carbon footprint.
- Previous applications of this nature within the Borough had been refused.
- Conrad Energy's handbook for landlords suggests development away from residential areas and/or industrial or commercial zones and their own assessment stated that noise generated overnight would be above the level of significant adverse impact and that no further mitigation is possible.
- Experience from similar developments around the country that have led to issues with low frequency noise which can penetrate the walls of residential properties.
- That if approved the electric generation would be undertaken on a 25 year contract which would complicate any remedial actions if required.
- The production of electricity on the scale proposed would be inefficient and produces carbon dioxide, methane and nitrogen dioxide.
- Demand flexibility and storage were more economically and environmentally appropriate means of meeting peak demand for electricity.
- Monitoring of noise levels would only be undertaken by the Council following noise complaints.

Resolved – That application numbered S/18/1617/SASM be refused.

Reasons

1. It has not been sufficiently demonstrated to the satisfaction of the Local Planning Authority that noise levels and disturbance produced during the flexible power plant's operation would not harm the residential amenity of nearby residents contrary to Policies DE1 (c) and EN7(a) of the Swindon Borough Local Plan 2026 (2015).
2. The proposed development by reason of its appearance and proposed height of the acoustic screening would comprise an intrusive feature in the rural landscape and cause harm to the character and appearance of the area contrary to Policy DE1 of the Swindon Borough Local Plan 2026 (2015).
3. The proposal does not represent farm diversification and accordingly represents inappropriate development in the countryside and therefore is not in accordance with Policy EC5 of the Swindon Borough Local Plan 2026 (2015).

(Councillor Peter Watts made a non-prejudicial Declaration of interest in respect of this item in his capacity as a non-executive Director of Public Power Solutions.)

7. S/18/1403/TB - Erection of up to 100no. dwellings and associated works without compliance with condition 11 of consent S/OUT/14/1005, Land at Berkeley Farm, Swindon Road, Wroughton

In respect of application numbered S/18/1403/TB (Erection of up to 100no. dwellings and associated works without compliance with condition 11 of consent S/OUT/14/1005, Land at Berkeley Farm, Swindon Road, Wroughton) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Jammie Taylor	Local Resident
Hannah Dosanjh	Wroughton Parish Council
Councillor Cathy Martyn	Ward Councillor
Councillor Brian Ford	Ward Councillor

Councillors Nick Burns-Howell, Malcolm Davies, Jenny Jefferies, Nick Martin, Stan Pajak, Jim Robbins, Vera Tomlinson and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- That the application was approved following an appeal to the Planning Inspectorate and Reserved Planning Matters were subsequently approved.
- The application was to amend the trigger point for the installation of a pedestrian crossing to the construction of 95 dwellings rather than occupation of dwellings and to clarify the planning obligation.
- That the Planning Authority needed to be reasonable and practical in agreeing and enforcing conditions at an initial stage.
- The development was approved through an appeal to the Planning Inspectorate followed a failure to demonstrate a 5 year housing land supply.
- That an agreement of a trigger point for the construction of a crossing provided the Local Planning Authority will more control in an enforcement scenario.

Submissions opposing the application can be broadly summarised as:

- That the developer should have provided a crossing when properties were occupied and they had failed to do and therefore failed in their planning obligation.
- That there was a safety issue due to the absence of a crossing as this would increase with the number of properties being occupied.
- That initially the developer had applied to remove the requirement of a crossing from the planning permission granted.

- A crossing was needed opposite the Lister's estate which is where school children would cross the road which is a busy road.
- That the crossing should be in the form of a zebra crossing with an island in the middle of the road.
- That enforcement action should be taken against the developer in accordance with Section 58 of the National Policy Framework following a temporary 28 day stop notice under Section 171(e) of the Town and Country Planning Act 1990.
- The development was outside of Wroughton's settlement boundary and not identified in the Neighbourhood Plan as access to the village's facilities required either crossing a busy road or using a car thus making the site unsustainable.
- The site was an overdevelopment of the site and was one of a number of developments off Swindon road and the increase in the number of properties could act as a precedent.
- The trigger point for the installation of a crossing for the development had been proposed by the developer and had not been agreed on highway safety grounds and that officers should investigate lowering the trigger point for the pedestrian crossing below the proposed 95th Dwelling.
- There was an expectation that conditions attached to planning consents would be carried out in their entirety.
- The concern that should the development be delayed for any reason this would further delay the installation of a pedestrian crossing.

Resolved – That consideration of application numbered S/18/1403/TB be deferred in order to allow the Head of Planning, Regulatory Services and Heritage to undertake further discussions with the developer (Linden Homes (Thames Valley)) to secure a more appropriate trigger point for the provision of the crossing conditioned as part of the planning permission granted upon appeal by the Planning Inspectorate.

8. S/18/1774/TB - Erection of 44 dwellings and associated works, Berkeley Farm, Swindon Road, Wroughton

The Committee considered application numbered S/18/1774/TB (Erection of 44 dwellings and associated works, Berkeley Farm, Swindon Road, Wroughton).

Resolved – That application S/18/1774/TB be deferred pending the outcome of discussions in respect of application S/18/1403.

9. S/OUT/19/0218/TB - Outline application for the erection of 1 no. dwelling (access and layout not reserved), Ringstones, 1 Kingsdown Lane, Blunsdon

In respect of application numbered S/OUT/19/0218/TB (Outline application for the erection of 1 no. dwelling (access and layout not reserved), Ringstones, 1 Kingsdown Lane, Blunsdon) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

Name

Address/Organisation

Andrew Miles
Ian Jankinson

Agent
Blunsdon Parish Council

Councillors Alan Bishop, Stan Pajak and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- That whilst the proposed development fell outside of the Blunsdon Settlement boundary it was surrounded by other residential and commercial developments on three sides.
- That resulting in the shortage in the housing land supply the fact that development fell outside of the Blunsdon Settlement boundary was not in itself reason for refusal.
- The adverse impact of permitting the development was not considered to significantly and demonstrably outweigh its benefits.
- The density of the development would be the equivalent of 11 house per hectare which was considerably lower than other recently approved developments within the Parish.
- The potential loss of privacy to adjoin properties is mitigated through the design of the development.
- The loss of sunlight to the neighbouring garden was only for a short period in the afternoon and couldn't therefore sustain an objection especially given the retention of the current vegetation on the boundary.
- There is no current planning policy prohibiting the current proposed development.
- There are no objections from Council officers to a development that is sustainable and responds to the local context.

Submissions opposing the application can be summarised as:

- The application was contrary to Policy SD2 of the Swindon Local Plan.
- The application could not be considered as Brown Field Development.
- There was a history of foul water drainage issues in the area arising from properties in the locality into the ditch in the front of the proposed development.
- The development should be considered as back land development in accordance with the Swindon Residential Design Guidance.

Resolved – That application S/OUT/19/0218/TB be granted subject to the following conditions:

1. This approval shall be in respect of the site location plan received by the Local Planning Authority on 8th February and drawing number LPC,4583,19,01 A received on 19th March 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

2. Prior to the commencement of works on site in connection with the development hereby permitted, details of the scale, appearance and landscaping (hereinafter

called "the Reserved Matters") shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990.

3. Application for the approval of the Reserved Matters referred to in condition 2 above, shall be submitted in writing to the Local Planning Authority before the expiration of 3 years from the date of this permission and shall be carried out in accordance with the approval.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be commenced either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

5. The material submitted with the landscaping reserved matters shall include: i) Details of the species, location, diameter, approximate height, and general state of health and stability, of every tree, bush or hedgerow on the site which is to be retained and of each tree, bush or hedgerow which is on land adjacent to the site and to which paragraphs ii), iii), iv) and v) below shall apply; ii) No tree, bush or hedgerow which is to be retained and which has been identified in paragraph i) above, shall be topped, lopped, felled, destroyed or wilfully damaged, including any severance of its roots without the prior written consent of the Local Planning Authority; iii) No materials, plant, soil or spoil shall be stored underneath, and no burning of materials shall take place, within the furthest extent of the canopy of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above without the prior written consent of the Local Planning Authority; iv) Details of the specification and position of fencing and of any other measures to be taken for the protection of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above. Such fencing or any other measures shall be retained until the approved development has been completed or the Local Planning Authority has approved, in writing, that such fencing or any other measures may be removed; v) All works to protect any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above shall be carried out in accordance with BS 5837(2012); vi) A planting plan and timetable of works for the soft landscaping of the site; all works shall be carried out in accordance with the approved plan and timetable; and any trees or plants, which within a period of five years from first being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation; and vii) details of fencing and boundary treatments.

6. No development comprising the erection of any dwelling above ground level shall take place until full details of the slab levels of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

7. No development shall take place, including any site preparation works, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. specify point of construction access and access route to the site;
- iii. provide for the parking of vehicles of site operatives and visitors;
- iv. provide for the loading and unloading of plant and materials;
- v. provide for the storage of plant and materials used in constructing the development;
- vi. provide for wet wheel washing facilities;
- vii. specify the intended hours of construction operations;
- viii. measures to control the emission of dust and dirt during construction.

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development

8. The allocated private car parking spaces for each unit (Ringstones and the new dwelling) plus the associated turning space shown on the approved plan, shall be laid out and made available for use prior to the development hereby permitted. These spaces shall thereafter be retained only for the parking of motor vehicles in connection with the development hereby permitted and Ringstones.

Reason: In the interests of highway safety.

9. Construction and demolition works associated with the development hereby permitted shall only take place between 0800 hours to 1800 hours on Mondays to Fridays and 0900 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity.

10. Development shall not commence above ground level until details of all external facing materials shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with these approved details.

Reason: To ensure that the appearance of the development is satisfactory

11. Adequate and appropriate provision for foul and surface water drainage within the site must be made so that none discharges onto the highway or adjacent land.

Reason: In the interests of highway safety and amenity.

12. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted Site Plan [drawing no. LPC,4583,19,01 Rev A] with any gates hung so as not to open outwards towards the public highway and with the area of driveway within at least 6m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out.

10. S/HOU/19/0399/RM - Erection of a replacement garage linked to main house and new 1.8m high boundary wall and fence, Eldswyn, Kingsdown Lane, Blunsdon

In respect of application numbered S/HOU/19/0399/RM (Erection of a replacement garage linked to main house and new 1.8m high boundary wall and fence, Eldswyn, Kingsdown Lane, Blunsdon), Ringstones, 1 Kingsdown Lane, Blunsdon) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Bob Keech	Agent
Ian Jankinson	Blunsdon Parish Council

Councillors Alan Bishop and Nick Martin spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- There were no policy, highway or neighbour objections to the application and officers did not consider the application to constitute overdevelopment of the site.
- The garage is already an existing structure and the extension was relatively small and linked the garage to the house.
- The gate and wall were solely for security purposes.

Submissions opposing the application can be broadly summarised as:

- Planning permission for a first floor extension and porch was granted in 2016 although this has not yet been built and together with the current application and the application for a single storey annex to the rear on a relatively small plot would constitute over intensification of use of the site.

Resolved - That application numbered S/HOU/19/0282 be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

2. The accommodation to be provided within the annex hereby approved shall remain as permanently ancillary accommodation to the principal dwelling at Eldswyn, and shall be occupied only by persons of the same household and the building shall not

be let or rented to any other person(s). There shall be no subdivision of this single residential planning unit.

Reason: The site is unsuitable to accommodate an additional residential unit
3. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing building. Such facing materials shall be retained thereafter in their approved form.

Reason: To ensure that the appearance of the development is satisfactory.

4. This approval shall be in respect of site plan and drawing no. 19/009 received by the Local Planning Authority on 20 February 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

5. Notwithstanding the submitted details, work for the construction of the annexe shall not commence until a scheme for the disposal of surface and foul water has been submitted to and approved in writing by the LPA. The development shall take place in accord with the details so approved.

Reason: To ensure adequate provision is made for drainage, in the interests of amenity.

11. S/HOU/19/0282 - Erection of a detached single storey annex to rear, Eldswyn, Kingsdown Lane, Blunsdon

In respect of application S/HOU/19/0282 (Erection of a detached single storey annex to rear, Eldswyn, Kingsdown Lane, Blunsdon) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Bob Keech	Agent
Ian Jankinson	Blunsdon Parish Council

Councillors Stan Pajak and Vera Tomlinson spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- There were no policy, highway or neighbour objections to the application and officers did not consider the application to constitute overdevelopment of the site.
- The detached single storey annexe it was not considered to have an adverse effect on the surrounding area as it was set away from neighbouring properties.

- The annexe had no kitchen as it was usual for annexe applications to be reliant on the main house and not an independent unit.
- There was an existing septic tank on site which could be used by the annexe.
- When the side extension was completed it would mean that there would only be pedestrian access to the annexe and therefore hard to get separate title for the annexe.
- The design, whilst not usual was in keeping with the main building.

Submissions opposing the application can be broadly summarised as:

- Planning permission for a first floor extension and porch was granted in 2016 although this has not yet been built, together with the previously considered application and the application for a single storey annex to the rear on a relatively small plot the Parish Council considered this would constitute over intensification of use of the site.

Resolved – That application numbered S/HOU/19/0282 be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.

2. The accommodation to be provided within the annex hereby approved shall remain as permanently ancillary accommodation to the principal dwelling at Eldswyn, and shall be occupied only by persons of the same household and the building shall not be let or rented to any other person(s). There shall be no subdivision of this single residential planning unit.

Reason: The site is unsuitable to accommodate an additional residential unit.

3. The development hereby permitted shall be constructed using external facing materials that match and correspond with those of the existing building. Such facing materials shall be retained thereafter in their approved form.

Reason: To ensure that the appearance of the development is satisfactory.

4. This approval shall be in respect of site plan and drawing no. 19/009 received by the Local Planning Authority on 20 February 2019.

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

5. Notwithstanding the submitted details, work for the construction of the annexe shall not commence until a scheme for the disposal of surface and foul water has been submitted to and approved in writing by the LPA. The development shall take place in accord with the details so approved.

Reason: To ensure adequate provision is made for drainage, in the interests of amenity.

12. S/HOU/19/0492/RM - Erection of a two storey extension, North Farm

**Barn, South Side, 2A Trenchard Road, Swindon and S/LBC/19/0493/RM
- Erection of a two storey extension, North Farm Barn, South Side, 2A
Trenchard Road, Swindon**

With the agreement of the Committee, Agent and Tom Charnock, Parish Councillor, agenda items 14 and 15 were considered together.

In respect of application numbered S/HOU/19/0492/RM (Erection of a two storey extension, North Farm Barn, South Side, 2A Trenchard Road, Swindon), and /LBC/19/0493/RM (Erection of a two storey extension, North Farm Barn, South Side, 2A Trenchard Road, Swindon) the Committee considered: -

- (a) An application for permission to develop;
- (b) Recommendations of the Head of Planning, Regulatory Services and Heritage;
- (c) The views of interested persons set out in the report circulated with the Committee Agenda;
- (d) The comments at the meeting of the following interested persons:-

<u>Name</u>	<u>Address/Organisation</u>
Howard Waters	Agent
Councillor Steve Weisinger	Ward Councillor
Tom Charnock	Stanton Fitzwarren Parish Council

Councillors Alan Bishop, Steph Exell and Peter Watts spoke in respect of this application.

Submissions in support of the application can be broadly summarised as:

- The application for a two storey extension would join the two existing buildings which were both Grade II Listed Buildings and would form an “L” shaped footprint.
- Paragraph 1.96 of the NPPF states where there is less than substantial harm these should be weighed against the benefits and optimal use of the asset.
- Initially there was one objection in principle however that has now been withdrawn as the applicant has agreed to provide screening for the neighbour and agreed for that to be put in as a condition of the development if it is approved this evening. Highways have no objections to this application as it is an extension to a property.
- The views of the Council’s Conservation Officer were considered to be negative by the applicant and his agent.
- The barn had previously been converted to a residential property.
- The proposed extension as a result of its design and siting, would result in a scheme that is of acceptable appearance, and which supports the Conservation Area and the setting of adjacent Listed Buildings.
- There had been a recent barn conversion with a brand new property erected next to it which is on the main road, this proposed extension was not.
- The application was supported unanimously by Stanton Fitzwarren Parish Council, which took great care in scrutinising planning applications and in protecting the local environment and village setting.

- The application had been considered by the Parish Council on three separate occasions and accepted the applicant's Heritage Statement as being a comprehensive document meeting all the statutory requirements.
- The architect of the scheme was experienced in design work for Listed Buildings, well qualified and a member of the RIPA conservation register and a Governor of Wiltshire Historic Buildings Trust.
- The scheme enjoyed a high level of local support.
- Full plans had been submitted to the Local Planning Authority although all of these did not appear in the report.
- The Heritage Report prepared by the architect had not been properly represented by officer comments and the report, the architect drew Members' attention to the following: that the building was largely rebuilt when converted so it's a Listed Building in name only, the conservation used materials on site and new materials from off-site, matching double roman clay tiles would be used in the extension, the extension was clearly lower than the existing barn to which the extension was attached, the extension was in line with good practice and Council policies, the extension would be largely out of view and facing into a courtyard, the extension would represent a gradual development of the existing buildings using traditional materials, and the application was high quality using traditional materials and therefore would enhance the local area.
- The only visual impact was from the bottom of a neighbour's garden and a simple course of planting had been agreed to mitigate this.
- The applicant, who had need of an additional bedroom, had owned the property for a considerable time and he and his family used the village's facilities and school.
- The application would help enhance a quality home within the Borough and therefore be a public benefit.

Submissions opposing the application can be broadly summarised as:

- The Council's Conservation Officer had raised concerns relating to Designated Heritage Assets which did not enhance the buildings or setting and which needed to be weighed against the public benefits of the proposal or which would mitigate the harm to the Heritage Asset and whether the works proposed were the minimum required to ensure the continued use of the asset.
- Paragraph 1.96 of the NPPF states where there is less than substantial harm these should be weighed against the benefits and optimal use of the asset.
- The Local Plan sought to protect the character of the asset and local context and ensure the design and materials were appropriate for the significance and settings.
- The proposed extension was taller than the existing barn and would hide features of the barn.
- There were no benefits to the extension other than for the owner of the barn and no public benefits to outweigh the less than substantial harm caused to the barn and listed building.
- The existing barns are characterised by their simple design reflecting the agricultural nature of the buildings and the proposed work would fail to preserve the buildings or features of historical or architectural interest which it possesses and is therefore inappropriate.

- Too much of the Borough's historical buildings were being lost to inappropriate development.
- The NPPF described two forms of harm in respect of Listed Building Substantial Harm which referred to the demolition or near demolition of a Listed Building and Less than Substantial Harm which covered everything else and so Less than Substantial Harm should still be given appropriate weight when reaching a decision.

Resolved – (1) That application numbered S/HOU/19/0492/RM be refused for the following reasons:

1. The proposed scheme, as a result of the design, visual massing and siting, would result in an incongruous, prominent form of new development that has an unacceptable appearance which causes harm to the simple form and function and layout of the listed building which is key to its significance and how it is experienced within the setting of the listed farmhouse and the Conservation Area. The proposal would, therefore fail to preserve the traditional and agricultural local character and distinctiveness of the area and fails to make a positive contribution to the locality. Which is contrary to paragraph 127 of the NPPF and policies DE1 and EN10 of the Local Plan.

2. The proposed development would result in less than substantial harm to the significance of the designated heritage asset (the grade II listed property). There are no public benefits of sufficient weight to override the harm caused. As such the proposed development is contrary to paragraph 196 of the National Planning Policy Framework 2018 (NPPF).

(2) That application numbered S/LBC/19/0493/RM be refused for the following reasons:

The proposed scheme, as a result of the design, visual massing and siting, would result in an incongruous, prominent form of new development that has an unacceptable appearance which causes harm to the simple form and function and layout of the listed building which is key to its significance and how it is experienced within the setting of the listed farmhouse and the Conservation Area. The proposal would, therefore fail to preserve the traditional and agricultural local character and distinctiveness of the area and fails to make a positive contribution to the locality. Which is contrary to paragraph 127 of the NPPF and policies DE1 and EN10 of the Local Plan.

The proposed development would result in less than substantial harm to the significance of the designated heritage asset (the grade II listed property). There are no public benefits of sufficient weight to override the harm caused. As such the proposed development is contrary to paragraph 196 of the National Planning Policy Framework 2018 (NPPF).

13. Parking Standards for New Development (SMTPDS&W)

The Service Manager, Transport Planning, Development and Street Works Management submitted a report seeking approval for the draft Parking Standards for New Developments within the Borough to be approved for public consultation.

Resolved – That the draft Parking Standards 2019 attached at Appendix 1 to the report of the Service Manager, Transport Planning, Development and Street Works

Management be approved for consultation.

(2) That the Service Manager, Transport Planning, Development and Street Works Management be authorised to undertake a Public Consultation exercise to secure feedback from a range of stakeholders.

(3) That Committee the Service Manager, Transport Planning, Development and Street Works Management, in consultation with the Chair of the Planning Committee, be authorised to make minor typographical and factual corrections to the document if required in advance of publication.

14. Protocol for Dealing with Planning and Related Applications and Local Planning and Related Application Validation Lists (HPRS&H)

The Head of Planning, Regulatory Services and Heritage submitted a report seeking approval for dealing with planning and related applications.

Resolved - (1) That the protocol and the additional clarification contained therein, including the change to how representations are titled when published on public access be noted.

(2) That the procedures set out in Appendix 1 to the report of the Head of Planning, Regulatory Services and Heritage be approved for the purpose of consultation on planning and related applications ("consultation protocol").

(3) That approval be given to the circulation of consultation protocol to all Borough Councillors for information and that they be reminded of the obligation that where they request an application be determined by the planning committee that they do so in writing within the prescribed timescales and the request must provide reasons for the request.

(4) That approval be given to the circulation of the consultation protocol to all Parish and Town Councils for information and that they be reminded of the obligation that where they request an application be determined by the planning committee that they do so they do so in writing within the prescribed timescales and that reasons be given for the request as to why a particular application is considered to raise significant planning issues or is locally controversial.

(5) That the Local Application Validation Lists be approved and the Head of Planning, Regulatory Services and Heritage be authorised to review and amend them as necessary, or at least on a biannual basis, and to publish them on the council's web site.

(6) That the Protocol be approved and the Head of Planning, Regulatory Services and Heritage be authorised to review and amend the protocol as necessary, or at least on a biannual basis, and publish the protocol in the planning pages of the Councils Web site.

(7) That the Head of Planning, Regulatory Services and Heritage be authorised to make any minor or typographical changes as may be necessary to the documents set out within the report.

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Determination of Planning and related Applications

Planning Committee

Date: 9th July 2019

Author:	Head of Planning, Regulatory Services and Heritage
Wards:	All Wards
Locality Affected:	All Locality Area
Parishes Affected:	All Parish Area

1. Purpose and Reasons

- 1.1 To determine the planning and related applications in the Committee reports that follow this report in the Committee Agenda, as may be amended by an additional information sheet circulated before the meeting

2. Recommendations

The Committee is recommended to:

- 2.1.1 determine the applications set out in the Committee agenda in accordance with the recommendations set out in the reports, including, where relevant, the additional information.

3. Alternative Options

- 3.1 The Committee could choose not to determine the Planning applications

4. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 4.1 There would be financial implications if, following a refusal to grant planning permission or the grant of conditional permission, costs are awarded against the Council on appeal. However, this would only happen if the Council was adjudged to have acted unreasonably

Legal and Human Rights Implications

- 4.2 There are no staffing implications. No comments have been received from relevant trade unions, unless specified in the attached schedule.
- 4.3 Human Rights considerations have been taken into account in compiling the reports. It is considered that the recommendations of the reports are compatible with Convention rights and that in accordance with the principle of proportionality any interference with the Convention rights of individuals is justified by the overall benefit to the community.

5. Appendices

- 5.1 Appendix 1 - Documents which may be relied on in the preparation of the application reports

Further information on the subject of this report can be obtained from Iain Tucker, Direct Dial Telephone Number, (01793) 463605, itucker@swindon.gov.uk.

Determination of Planning and related Applications

Planning Committee

Date: 9th July 2019

5.2 Planning and related applications reported to this Committee for the first time.

APPENDIX 1

DOCUMENTS WHICH MAY BE RELIED ON IN THE PREPARATION OF THE APPLICATION REPORTS

1. The approved Development Plan, consisting of
 - Swindon Borough Local Plan 2026, (2015), and the Swindon Borough Local Plan 2026 Policies Map (2015)
 - Wiltshire and Swindon Minerals Core Strategy, (2009)
 - Wiltshire and Swindon Minerals Development Control Policies DPD (2009)
 - Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan, (2013)
 - Wiltshire and Swindon Waste Core Strategy, (2009)
 - Wiltshire and Swindon Waste Development Control Policies DPD, (2009)
 - Wiltshire and Swindon Waste Site Allocations Local Plan, (2013)
 - Swindon Central Area Action Plan, (2009)
 - Wroughton Neighbourhood Plan (2016): for applications in Wroughton Parish
 - Highworth Neighbourhood Plan (2017): for applications in Highworth Parish
 - South Marston Neighbourhood Plan (2017) for applications in South Marston Parish
2. Adopted Supplementary Planning Guidance Notes, Supplementary Planning Documents and Development Control Guidance Notes
3. The National Planning Policy Framework, (2018); and policy statements, guidance and DCLG circulars that support the National Planning Policy Framework
4. Ministerial Statements and other guidance material to the consideration of applications
5. Relevant appeal decisions and case law
6. Relevant planning history, case files and related correspondence including the views of statutory consultees
7. Any emerging relevant Development Plan Documents

Application Number S/OUT/19/0294

Proposal Outline planning application for up to 43no. dwellings and associated works -
Access not reserved.

Location: Land Off B4019, Broad Blunsdon Swindon SN26 8DJ



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

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Application Number S/OUT/19/0294

Proposal Outline planning application for up to 43no. dwellings and associated works -
Access not reserved.

Location: Land Off B4019, Broad Blunsdon Swindon SN26 8DJ



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

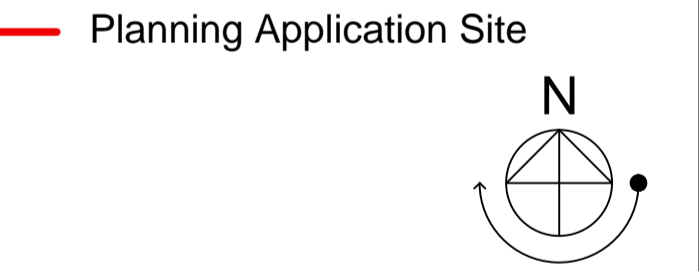
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Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect before proceeding.
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REVISIONS:			
A	31.01.19	Cole Easdon access added	RS
B	31.01.19	Updated as JA instr	RS
C	03.02.19	POS area added	RS
D	05.02.19	Pedestrian link added to West as LC comments	RS
E	09.04.19	Layout amended following Landscape & Arbo comments SBC	RS
F	10.04.19	Layout amended following Landscape & Arbo comments SBC	RS

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KINGSMAN ESTATES LTD

Project
Blunsdon St Andrew

Drawing Title
Proposed Site Layout

File Location:			
Date	12.12.18	Status	Provisional
Scale	1:500 @ A1	Drawn by	--
Project No.	BLUNSDON	Checked by	-
		Project No.	BLUNSDON
		Drawing No.	KING/002 / F



COMMITTEE REPORT

Item Number:
Application Number:
S/OUT/19/0294/RA

Ward: Blunsdon And Highworth
Parish: Blunsdon

Proposal: Outline planning application for up to 43no. dwellings and associated works - Access not reserved.

Site Location: Land Off B4019, Broad Blunsdon, Swindon, SN26 8DJ

Case Officer: Miss Rachael Adams

Contact Details: Tel: 01793 466012 Email: radams@swindon.gov.uk

Agent:
Mr Jon Adams
Tetlow King Planning
Unit 2, Eclipse Office Park
High Street
Staple Hill
Bristol
BS16 5EL

Applicant
Kingsman Estates Ltd
C/o Agent

Officers Report

Background:

0.1 This application has been called to Planning Committee by Blunsdon Parish Council.

Summary of Recommendation:

1 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any amendments, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the LPA to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to REFUSE planning permission.

The Proposal:

2 This application seeks outline planning permission for the erection of up to 43 no. dwellings with all matters reserved, apart from the means of access to the development, on land to the north of the B4019 at Broad Bush.

3 A new vehicular access is proposed directly off the B4019 with the widening of the existing footway to 2 metres along the site frontage.

4 Whilst the matters of appearance, landscaping, layout and scale are reserved for subsequent approval the application submission includes an indicative masterplan that demonstrates how the site could be developed. The scheme proposes to deliver 30 open market units and 13 affordable units.

5 The indicative masterplan shows the provision of just over 1 hectare of public open space and a possible pedestrian route along the northern boundary.

The Site and Surroundings:

6 The application site comprises approximately 2.35 hectares and lies on the north side of the B4019, close to the Cold Harbour junction. The site has most recently been used as paddocks and agricultural grazing.

7 There are a number of existing underground water mains crossing the site from the Thames Water reservoir to the northwest boundary which are subject to easements.

8 The boundaries to the site are well defined with mature trees and hedgerow and the eastern boundary trees are protected by a Tree Preservation Order.

9 Public footpath 6 runs alongside the western boundary and partially along the northern boundary of the site before it turns north towards High Street, Blunsdon.

10 Immediately to the east the lies the Holdcroft site, which is currently a field in agricultural use, although planning permission has recently been granted for residential development of 54 dwellings (S/17/0528 refers)

Representations:

Neighbours:

11 One letter of objection received from 34A Trenchard Road, Stanton Fitzwarren who is concerned about the exacerbation of the existing traffic problems in Blunsdon.

Parish Council:

12 Blunsdon Parish Council object to the development on the following grounds:

Materials and appearance not in keeping with local characteristics

Open space and landscaping is the easement space with no landscaping

Design uses principles from outside the area.

Access and egress on to Turnpike, a junction already over capacity and B4019 also at capacity.

Poor public consultation, no Statement of Community Involvement

Significant trees not surveyed.

13 Conservation officer: The development would not cause any harm to the significance or setting of the surrounding heritage assets.

14 County Archaeologist: At the time of writing this report, the applicant has advised that Thames Valley Archaeological Services (TVAS) have dug trial trenches and the County Archaeologist has been out to inspect the results. Nothing of significance was found so no

further work is required here.

15 Highways: No objections subject to conditions.

16 Highways England: No objections.

17 Housing Enabling Officer: No objection on the basis the site is proposing 30% affordable housing.

18 Landscape Officer: No objections subject to conditions.

19 Lead Local Flood Authority: No objection subject to conditions.

20 Thames Water: No objection subject to conditions.

21 Letters were also received from The Ramblers Swindon and North East Wiltshire Group who would welcome the dedication of the pedestrian route as a Public Right of Way and the Salisbury and Wilton Swifts (SAWS) who have requested the installation of swift nest bricks in the development.

Planning Considerations:

22 The main considerations in the determination of this application are whether the proposal accords with the National Planning Policy Framework 2019 and the relevant policies of the Swindon Borough Local Plan 2026 (2015).

23 In accordance with this framework the following issues will be considered:

- Principle of residential development under the Local Plan and impact on the character of Broad Blunsdon
- Access
- The benefits of the proposal
- Other planning issues including CIL and developer contributions
- The planning balance and conclusions

Policy:

24 The National Planning Policy Framework (2019) sets out the Government's planning policies for England and how these are to be applied. In respect of this application the following sections are relevant:

section 2, 'Achieving Sustainable Development'
 section 5 'Delivering a sufficient supply of homes'
 section 9 'Promoting Sustainable Transport'
 section 12 'Achieving well-designed places'

25 The following policies of the Adopted Swindon Borough Local Plan 2026 (2015) are considered relevant to this application:

- SD1 '*Sustainable Development Principles*' sets out the development principles which underpin the local plan
- SD2 '*The Sustainable Development Strategy*' aims to meet Swindon's development needs whilst protecting the Borough's most important assets;
- SD3 '*Managing Development*' seeks to take a positive approach to reflect the presumption in favour of sustainable development
- DE1 '*High Quality Design*' seeks high standards of design for all development
- HA1 '*Mix Types and Density*' advises that housing development should be design led and respect the character of the surrounding area
- HA2 '*Affordable Housing*' seeks all developments of 15 homes or more, on sites larger than 0.5 hectares to provide 30% affordable housing
- HA3 '*Wheelchair Accessible Housing*' seeks all development of 50 dwellings or more to provide 2% of them to be suitable for wheelchair user occupation.
- EN3 '*Open Space*' seeks all development to provide or contribute towards public open space
- IN1 '*Infrastructure Provision*' seeks to ensure all new development makes a positive contribution to sustainable growth by mitigating its impacts upon infrastructure
- TR1 '*Sustainable Transport*' seeks to reduce the need to travel and support and encourage the sustainable, safe and efficient movement of people
- TR2 '*Transport and Development*' encourages sustainable travel and seeks to mitigate the impact of development and ensure that suitable parking provision is provided

26 Also of relevance is Swindon Borough Council's Development Control Guidance Note: Technical Guidance on Parking Standards (2007) and the Swindon Residential Design Guide (2016).

27 Blunsdon Parish Council is currently preparing a Neighbourhood Plan for the area including the site of this current application. It is at a relatively early stage, with no documents having yet been published, and therefore has limited weight at the present time.

Principle of Development and the Character of Broad Blunsdon:

28 The development strategy for the borough is set out in Swindon Local Plan Policy SD2. The policy supports the key government objectives for sustainable development in the most accessible locations, whilst supporting the best of the countryside. The sustainable development strategy in Policy SD2 seeks to focus development on the Swindon urban area and urban extensions to Swindon. Below Swindon and the urban extensions in the strategy sit Highworth and Wroughton and then other villages. At least 100 dwellings are planned to be delivered in the period to 2026 at other villages "proportional to their size and function" within settlement boundaries, on sites allocated within neighbourhood plans, and in accordance with rural exception site policy.

29 Part c of this policy states that 'Outside Swindon development proposals in rural and countryside locations outside the rural settlement boundaries as shown on the Policies Map will be permitted where:

- Local needs have been identified and allocated through a Neighbourhood Plan or Neighbourhood Development Order or

- It supports the expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in a rural service centre or
- It is accordance with other policies in this Plan permitting specific development in the countryside.'

30 As stated, Blunsdon Parish Council are preparing a draft neighbourhood plan for the village, although this has not yet undertaken the Regulation 14 public consultation. A site assessment report produced by Aecom to support the neighbourhood plan identifies the site as one of three that may be '*potentially suitable*' for development, providing a number of constraints were addressed. The constraints included that development of the entire site would significantly increase the number of dwellings in Blunsdon, which could negatively impact its character.

31 Para 48 of the NPPF advises that weight should be given to emerging plans according to their stage of preparation, the extent of unresolved objections and their degree of consistency with the NPPF. In view of its early stage of preparation, whereby it has not yet undertaken regulation 14 consultation, only very limited weight can be given to the Blunsdon Neighbourhood Plan at this time. Therefore, at present the proposal is not in accordance with Policy SD2.

32 Additionally, at the time of writing 495 new homes have been built or benefit from planning permission or a resolution to grant planning permission around the village of Blunsdon in the plan period to date. Recent permissions/resolutions to grant include:

- S/14/1304 – Land North Of Ermin Street and High Street, Blunsdon – 69 dwellings
- S/OUT/16/2034 – Land south of High Street, Blunsdon – 52 dwellings
- S/17/0528 – Land at Holdcroft – 54 dwellings
- S/17/0458 – Land to the rear of 89, 91 and 83 Ermin Street, Broad Blundon – 15 dwellings
- S/OUT/17/1032 – Land at Hill Cottage – 100 dwellings
- S/OUT/18/040 – Land at Sams Lane – 70 dwellings

33 The cumulative scale of development is significant and not proportional to the size and function of Broad Blunsdon, which in 2011 was a village of 603 dwellings and has limited services and facilities. This is a further reason why the proposed development is contrary to policy SD2.

Access:

34 Policies TR1 and TR2 of the adopted Swindon Borough Local Plan 2026 seek to ensure access for developments that is appropriate to the scale, type and location of the proposal without detriment to highway safety, traffic movement and the local environment.

35 Whilst there is an existing field access, the proposed access to the development is also via the B4019 Broadbush but further to the west than the existing access. A priority junction is proposed with 'Keep Clear' markings at the junction. Drawing numbered 6512/203 shows the proposed site access for vehicles and pedestrians and also illustrates the widening of the existing footway across the site frontage to 2m to improve the existing options for sustainable transport.

36 Vehicular visibility splays have been provided in accordance with the results of the speed

survey for the adjacent site Holdcroft (S/17/0528 refers). The Transport Statement states that vehicle speeds here are likely to be slower than those recorded for the neighbouring site given the proximity of the junction with Cold Harbour and the Traffic Calming Build Outs. Notwithstanding, larger visibility splays than those specified are achievable.

37 Public Footpath 6 Blunsdon abuts the site on the western side and for part way along the northern side. To improve permeability and therefore sustainable transport options, at least one connection with the Public Footpath is required and the footpath is required to be surfaced and lit for its length. The applicant has confirmed that the proposal is to connect to the existing PRow in the north west corner of the site. And it is also the intention to safeguard a connection to the Holdcroft site at the north east corner of the site, although that connection can only be implemented if the Holdcroft site is developed.

38 Using the same trip generation from a previously approved site in the local the predicted trip generation for this site is 22 in the AM peak hour, 23 in the PM peak hour and 201 vehicles over a 12 hour day. This development is smaller than the sites previously permitted within Blunsdon and this level of trip generation presents a worst case scenario as no reduction has been included taking account the increase in people working from home or working more flexibly to enable them to avoid the worst of road congestion either here at journey origin or further afield at journey destination. Further a Travel Planning Statement has been submitted to assist in the reduction of single occupancy car journeys to and from the site. High speed broadband should be in place prior to occupation of the units to maximise the opportunity for flexible working and working from home.

39 The internal layout of the roads is a reserved matter so the following comments made here are for consideration when the detailed application is made.

- The internal roads are proposed at 5.5m wide with 2m footways generally both sides of the road. Emerging and forward visibility splays are required to be provided commensurate with the design speed of the road which should be specified.
- A Swept Path Analysis of a 10.6m long mid steer vehicle is also required with clearance between the vehicle and oncoming/parked vehicles and vertical boundaries such as kerbs, walls and fences.
- Cycle and car parking will need to be provided in accordance with SBCs adopted Parking Guidance. Visitor spaces are required at 1 space per 5 dwellings.

40 The Local Highway Authority therefore raises no objections subject to the imposition of conditions.

Landscape:

41 The Councils Landscape Architect has no landscape based objection to the principle of development on this site and is in broad agreement with the findings of the LVIA. The primary concern is the retention and protection of as much boundary vegetation as possible.

42 Concerns were raised originally that the proposed scheme was too close to the southern boundary of the site and the combination of visibility splay and garden boundary fencing

would result in the removal of most or a substantial portion of this circa 180 linear metre frontage hedge with significant detrimental impact on the character of this road. Whilst this hedge may not be in exemplary condition or indeed continuous, it must be retained.

43 The illustrative layout was subsequently amended setting the development back off the southern boundary to include the retention and protection (in the long term) of the hedge and any trees within it.

44 The two main internal trees are not in good condition and their removal as part of the work would be logical.

45 It is suggested that these trees are taken down as a whole tree (i.e. not section-felled) and the majority of the trunk or cylinder of the healthier one be placed on its side and used as a key part of the play area provision on site. The main cylinder or trunk of the other tree also has significant habitat value and can be used to create a vertical habitat pile.

46 The Landscape Architect has no objections to the scheme subject to the imposition of appropriately worded conditions.

Benefits of the Proposal:

47 The proposed development would provide market and affordable housing to meet the Borough's housing requirement. As is discussed below, it is not currently possible to demonstrate a supply of 5 years of deliverable housing land when assessed against the requirement in the Local Plan and is at present only able to show 2.7 years' supply. This is a significant shortfall and increases the weight to be given to the benefit of delivering new market and affordable housing. The recent Hill Cottage appeal decision shows that benefit is given significant weight by government-appointed planning inspectors.

48 The housing would be well located within the village given its proximity to the primary school and bus stop, although the bus service is limited. Of the 43 dwellings 30% would be affordable housing, which is policy compliant and again given the shortfall in supply of affordable housing, this is considered a significant benefit.

49 The proposed development would also provide the additional benefit of the creation of an area of public open space beyond the provision of housing:

50 Construction work would be created albeit this would be a short-term, limited benefit. Similarly, there would be new residents of the village which would spend money in the local businesses that there are, but again this is a limited benefit in the absence of evidence that any of those businesses require that extra custom.

Other planning Issues:

Archaeology

51 This is an archaeologically sensitive location, as highlighted in the applicant's archaeological desk assessment. The County Archaeologist advised that the site be subject to archaeological evaluation, starting with a geophysical survey, which has been provided. It is understood that Thames Valley Archaeological Services (TVAS) have dug trial trenches on the site and that they have been inspected by the County Archaeologist.

Nothing of significance was found so no further work is required here.

Affordable Housing

52 In accordance with Policy HA2 of the Local Plan, affordable housing will be sought on all suitable sites proposed for development that comprise 15 or more dwellings or sites of 0.5 hectares or more. Affordable housing is required to be provided on site at a ratio of 30% and as such the applicant is proposing 13 units.

Accessibility

53 In accordance with Policy HA3 of the SBLP at least 2% of the houses will be required to be suitable for wheelchair occupancy.

Ecology

54 An Ecological Appraisal was submitted with the planning application which recommends that an Ecological Mitigation and Enhancement Strategy should be conditioned if permission is granted.

Heritage

55 The site is not within close proximity to either the Broad Blunsdon or Lower Blunsdon Conservation Areas. The only designated heritage asset within proximity of the subject site is a listed milestone along the B4019, where its setting is more related to its positioning along the carriageway as a historic marker of distance.

56 As discussed in Paragraph 127 of the NPPF, Policy DE1, DE5 and EN10 of the Local Plan, when looking to undertake development, one needs to look at a surrounding context, setting, its character and particularly how the works affect the character and appearance of the surrounding heritage assets and how the works reinforce local character and distinctiveness.

57 Having considered the merits of this scheme, it is officer's opinion that the proposed development is unlikely to cause harm to any heritage assets or their setting.

Infrastructure Requirements

58 In addition to affordable housing which has been addressed above this section considers the potential wider infrastructure implications. The overarching infrastructure policy framework is set out through Policy IN1 of the adopted Local Plan. The Community Infrastructure Levy Charging Schedule was adopted on 26th March 2015

59 The Community Infrastructure Levy Regulations 2010 (as amended) 'CIL Regs' came into force on 6th April 2010. The CIL Regs Regulation 122 embedded three of the five tests of Circular 05/2005 as statute. Regulation 122 states that where an item of infrastructure may be requested as a planning obligation, in order to support a decision the three following test must be satisfied:

- Necessary to make the development acceptable in planning terms
- Directly related to the Development, and
- Fairly and reasonably related in scale and kind to the development.

Compliance with Regulation 122 is therefore material to any contributions that will inform a decision to grant planning permission.

60 The Council is a Community Infrastructure Levy (CIL) Charging Authority. At the point of

writing this report the adopted CIL Charging Schedule is that dated 6th April 2015. The proposed development for residential is located within CIL Residential Charging Zone 2 of this schedule. The development constitutes CIL Liable development chargeable at the relevant rate within the relevant Charging Schedule in place at the time of calculation, that rate which is subject to indexation annually. The CIL chargeable amount is calculated at the point in time that planning permission first permits development for CIL purposes. For an outline application this would be at the point of approval or reserved matters, should outline permission be granted. To inform the applicant/landowners of the relevance of CIL to the proposal a CIL liable informative will be added to the decision notice.

61 Policy EN3 of the adopted local plan requires consideration of Open Space requirements. This is amplified by the Open Space Audit & Assessment (2014 update) that considers the quantity, quality and accessibility of the different types of open space by Ward. The open space calculator translates the requirements of EN3 and associated Appendix 3 of the adopted Local Plan 2026 into the relevant area requirements. Where the scale of development does not trigger or justify the need for on-site provision due to location, there may be grounds to secure off-site provision proportionate to the scale of the development for investment locally.

62 In this case the application proposes on site open space and in addition an off-site playing pitch contribution of £22,308.17 is generated by the development to be used at Blunsdon Recreation Ground.

63 No highway related contributions have been deemed applicable.

64 The affordable housing and contribution towards off-site playing pitches will need to be secured by means of a Section 106 legal agreement.

The Planning Balance and Concluding Comments:

65 The proposed development would not accord with the development plan read as a whole due to its conflict with policy SD2. It is therefore necessary to look at whether other material considerations would indicate in favour of the grant of permission.

66 The NPPF is an important material consideration and the need to apply the 'presumption in favour of sustainable development' is necessary and recommend that planning permission is granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This applies because, as referred to above, the Borough is unable to demonstrate a five year housing land supply when assessed against its housing requirements.

67 It is necessary to consider whether the adverse impacts as a whole, including the conflict with Local Plan Policy SD2 and harm to the character of Broad Blunsdon would sufficiently and demonstrably outweigh the benefits which include delivering market and affordable housing and creating a new public open space.

68 Applying that tilted balance, and taking into account the significant housing land supply shortfall, officers are of the view that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission should be granted, subject to the completion of a

section 106 agreement and conditions.

69 In determining this application Members should have regard to the prospects of defending a decision to refuse planning permission at appeal. Officers' view is that following the recent appeal decision at Hill Cottage in Blunsdon those prospects would be limited, although each appeal is assessed on its own merits.

Recommendation:

70 That the Head of Planning, Regulatory Services and Heritage be authorised to GRANT planning permission subject to the conditions set out in the report together with any amendments, omitted or additional conditions and the completion of a Section 106 agreement to secure the necessary mitigation. In the event that the applicant fails to agree an extension of time to allow sufficient time for the LPA to deal with these matters then the Head of Planning, Regulatory Services and Heritage be authorised to REFUSE planning permission.

Conditions

1. Prior to the commencement of works on site in connection with the development hereby permitted, details of the appearance, landscaping, layout and scale (hereinafter called "the Reserved Matters") shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with Section 92 of the Town and Country Planning Act 1990.

2. Application for the approval of the Reserved Matters referred to in condition 1, shall be submitted in writing to the Local Planning Authority before the expiration of 3 years from the date of this permission and shall be carried out in accordance with the approval.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be commenced either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Council to review the suitability of the development in accordance with Section 92(2) of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

- i. site location plan P/SL/Sitloc received on the 20th February 2019
- ii. proposed access arrangement drawing 6512/203 received on the 20th February 2019

Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.

5. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall:

- i. specify the type and number of vehicles;
- ii. specify the point of construction access and access route to the site;
- iii. set out details of the parking of vehicles of site operatives and visitors;
- iv. set out arrangements for the loading and unloading of plant and materials;
- v. set out arrangements for the storage of plant and materials used in constructing the development;
- vi. set out arrangements for wheel washing facilities;
- vii. specify the intended hours of construction operations;

Reason: To reduce the potential impact on the public highway during the site preparation and construction phase(s) of development.

6. Development shall not begin until a surface water drainage scheme for the site, in accordance with the approved drainage strategy 'Flood Risk Assessment & Drainage Strategy for Proposed Residential development - Land North of Broadbush (B4019), Broad Blunsdon - Issue 3, May 2019', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include, but not be limited to:

Evidence that the proposed flows from the site will discharge at or below greenfield runoff rates, or as close as practical for any areas that have been previously developed;

Details of how the drainage scheme has incorporated SuDS techniques to manage water quantity and maintain water quality in accordance with best practice guidance including the latest SuDS Manual C753;

Detailed drainage plan showing the location of the proposed SuDS and drainage network with exceedance flow routes clearly identified;

Details to demonstrate the SuDS Scheme has been designed in accordance with best practice guidance including the latest SuDS Manual C753;

General arrangement, which should be coordinated with the landscape proposals and the masterplan;

Manhole Schedules;

Detailed drainage calculations for all rainfall events up to and including the 1 in 100 year plus climate change to demonstrate that all SuDS features and the drainage network can cater for the critical storm event for its lifetime;

Details of how the scheme shall be maintained and managed after completion;

Any drainage systems offered for adoption will be designed to Sewers for Adoption 7th edition and/or SBC standards as part of the detailed design and relevant technical approval processes.

Reason: To prevent unacceptable risks to people and property from flooding by ensuring the satisfactory storage and disposal of surface water from the site.

7. Development shall not be occupied until a surface water drainage maintenance scheme for the site, in accordance with the approved maintenance regime 'Flood Risk Assessment & Drainage Strategy for Proposed Residential development - Land North of Broadbush (B4019), Broad Blunsdon - Issue 3, May 2019', has been submitted to and approved in

writing by the Local Planning Authority. The scheme shall subsequently be maintained in accordance with the approved details.

Reason: To prevent unacceptable risks to people and property from flooding by ensuring the satisfactory storage and disposal of surface water from the site.

8. Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan [drawing no. 6512/203] including visibility splays with the area of driveway within at least 15m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter unless or until adopted as highway maintainable at public expense.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed.

9. The existing vehicular access shall be permanently closed within 2 months of the access shown on drawing numbered 6512/203 becoming operational and the footway/verge in front has been reinstated, in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

Reason: To reduce potential highway impact by ensuring there is no further use of an access that is deemed to be unsuitable to the serve the development.

10. Prior to the occupation of the dwellings hereby permitted the public right of way adjacent to the site (Footpath 6) shall be surfaced in asphalt and illuminated in accordance with details to be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason: To promote and encourage sustainable transport and travel.

11. The development hereby permitted shall not be occupied until the footway across the frontage of the site to Broad Bush has been widened to 2m implemented broadly in accordance with the drawing numbered 6512/203 and opened to the public.

Reason: To reduce potential highway impact by ensuring that there is a satisfactory access to the development.

12. The approved Travel Planning Statement shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the opportunities for sustainable transport modes are taken up.

13. The dwellings hereby permitted shall not be occupied until the vehicular parking and turning facilities [including garages where provided] have been provided in accordance with

details that shall have been submitted to and approved in writing by the Local Planning Authority and those facilities shall be maintained available for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site.

14. The development shall be served by an access road(s) laid out and constructed in accordance with the approved reserved matters details and no dwelling on the development shall be occupied until the road (including vehicular turning head(s), street lighting, drainage and footways where proposed) providing access from the nearest public road to that dwelling has been completed to at least binder course and footways to surface course level in accordance with the details so approved.

Reason: To ensure a satisfactory means of access for occupants of the development.

15. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

16. Prior to the development being brought into use, details of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority and no occupation of the development shall occur until the approved details have been completed and thereafter maintained.

Reason: To ensure that the opportunities for sustainable transport modes have been taken up.

17. The material submitted with the landscaping reserved matters shall include:

i) Details of the species, location, diameter, approximate height, and general state of health and stability, of every tree, bush or hedgerow on the site which is to be retained and of each tree, bush or hedgerow which is on land adjacent to the site and to which paragraphs ii), iii), iv) and v) below shall apply;

ii) No tree, bush or hedgerow which is to be retained and which has been identified in paragraph i) above, shall be topped, lopped, felled, destroyed or wilfully damaged, including any severance of its roots without the prior written consent of the Local Planning Authority;

iii) No materials, plant, soil or spoil shall be stored underneath, and no burning of materials shall take place, within the furthest extent of the canopy of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above without the prior written consent of the Local Planning Authority;

iv) Details of the specification and position of fencing and of any other measures to be taken for the protection of any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above. Such fencing or any other measures shall be retained until

the approved development has been completed or the Local Planning Authority has approved, in writing, that such fencing or any other measures may be removed;

v) All works to protect any tree, bush or hedgerow, which is to be retained and which has been identified in paragraph i) above shall be carried out in accordance with BS 5837(2012);
vi) A planting plan and timetable of works for the soft landscaping of the site; all works shall be carried out in accordance with the approved plan and timetable; and any trees or plants, which within a period of five years from first being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation; and

vii) details of fencing and boundary treatments.

Reason: To ensure that the appearance of the development is satisfactory.

18. No less than 2% of the total residential development shall provide for wheelchair user occupiers in accordance with a plan or schedule, which shall have been submitted to and approved in writing by the Local Planning Authority. These approved design features and provisions shall be retained for so long as the buildings hereby permitted remain in use as dwelling houses.

Reason: In the interests of people with disabilities.

19. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

19. The ecological enhancement measures identified in Ecological Appraisal April 2019 shall be implemented on site unless alternative measures have been submitted to and approved in writing by the Local Planning Authority. If alternative measures are so approved these shall be implemented in accordance with that scheme.

Reason: To achieve net biodiversity gain.

20. No properties shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents

21. Prior to the commencement of works on site in connection with the development hereby permitted, details of temporary protective fences to safeguard the trees and / or hedges to

be retained on the site shall have first been submitted to and approved in writing by the Local Planning Authority and shall be erected in accordance with the current BSI 5837 and maintained to that standard until the development has been completed or the Local Planning Authority has confirmed, in writing, that the fencing can be removed.

Reason: To ensure that adequate protection is afforded to the trees and/or hedges on the site.

22. The hedge/trees on the southern boundary of the site must be retained in its entirety with the exception of the absolute minimum required to construct the entrance to the site.

Reason: To ensure that adequate protection is afforded to the trees and/or hedges on the site and to ensure that the appearance of the development is satisfactory.

Informatives

1. CIL Liable Development: This development constitutes Community Infrastructure Levy (CIL) liable development. CIL is a mandatory financial charge on development. For more information on CIL visit www.swindon.gov.uk/cil or telephone the SBC CIL Team on 01793 466289 or 466397 or email cil@swindon.gov.uk. To avoid additional financial penalties the requirements of the impact of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Information on possible exemptions that may be capable of being applied for can be found at:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy and <https://www.gov.uk/guidance/community-infrastructure-levy>. CIL remains relevant in the event that planning permission is allowed by Planning Appeal.

2. The proposed development will require works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the Local Highway Authority before commencing works on the development. TransportDevelopment@Swindon.gov.uk

3. The applicant is advised that to fully comply with condition ## above, the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. TransportDevelopment@Swindon.gov.uk

4. The Local Highway Authority will require the developer/landowner to provide a surety under the Advance Payment Code (APC) provisions within the Highways Act 1980 (Sections 219 to 225), to ensure the proper implementation of new private highway which may be offered for adoption to the LHA at a later date, either by way of a Section 38 Agreement, or at the request of the frontagers. Further information in this respect may be obtained by contacting Swindon Borough Council's Transport Development Management team. TransportDevelopment@Swindon.gov.uk

5. The weather will have an impact on construction sites which in turn will require roads to be swept in addition to using wheel wash facilities. Swindon Borough Council are on winter service alert for gritting roads around the Borough from mid-October to mid-April each year,

the treated roads are shown on the attached plan. The de-icing material used for road treatment by this council is Thorox, this material is rock salt treated with an agricultural by-product similar to molasses and has the advantage of being active on the carriageway for up to three days providing there is no substantial precipitation or sweeping. It is imperative that any salt removed from the treated network by sweepers clearing mud and debris is replaced straight away at a spread rate of 15g/m². Where a sweeper is used on the roads around your site, you have a responsibility to retreat roads after washing or sweeping to ensure safety of road users is maintained during the winter period. In order to assist with this retreatment, Swindon Borough's Highway Operations Team can provide a filled grit bin at a cost available on request for use by developers, it should be noted that once delivered the bin and its contents will be in the property of the developer. In the first instance, please contact, Duty Winter Service Engineer, 01793 466354 to discuss and confirm site specific requirements.

https://www.swindon.gov.uk/info/20040/road_safety_maintenance_and_repairs/737/find_out_about_road_gritting

6. In addition to this consent, under the Town Improvement Clauses Act 1847 the applicant is required to contact SBC's Street Naming & Numbering Officer as soon as possible with regard to registering new or changes to the official address of any properties within this development.

http://www.swindon.gov.uk/info/20031/roads_parking_and_transport/321/apply_for_street_name_or_number

7. The grant of planning permission does not permit any changes, alterations, obstructions, diversions, closures or additional use by motor vehicles of any public rights of way affected by the proposal, the developer is required to contact the Council's public rights of way team for permission prior to undertaking any works. Public Rights of Way.

In addition to this consent, the developer will require Local Highway Authority approval in connection with the Public Right of Way. The Applicant is required to obtain this approval before works commence, and is therefore recommended to contact Swindon Borough Council's Highway Infrastructure Asset Management Department in this respect as soon as possible.

Application Number S/19/0743

Proposal Change of use of main dwelling to create 9 bed House in Multiple Occupancy (HMO).

Location: 74 Bath Road Old Town Swindon SN1 4AY



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

In all cases reference should be made to the submitted plans.

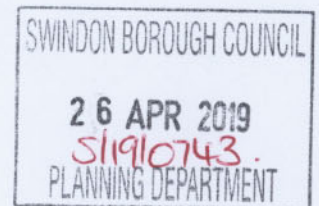
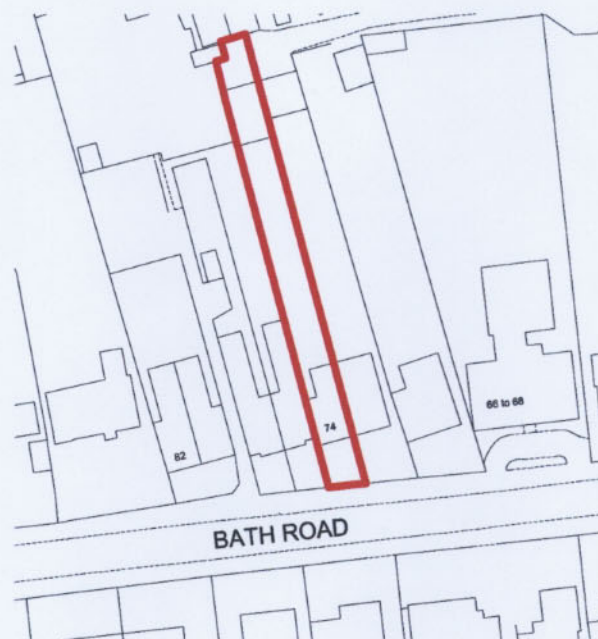
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General Notes:

1. This drawing is for design purposes only, scaling from this drawing is not to be used for construction or costings as further drawings may be required, refer to www.benwill.co.uk/help-and-advice
2. All dimensions should be checked on site.
3. Ben Williams shall be notified in writing of any discrepancies.
4. This drawing is to be read in conjunction with all other drawings, specifications and schedule of works.



Rev	Date	Reason for Issue	Checked



BEN WILLIAMS

HOME DESIGN AND ARCHITECTURAL SERVICES

Address: 20 The Madestones, Old Town, Swindon, Wiltshire, SN1 4NA
 Tel: 01793920265 / 07944486178
 Web: www.benwill.co.uk
 Email: hello@benwill.co.uk

Client:

Mr Kirby

Project:

**74 Bath Road
 Swindon**

Title:

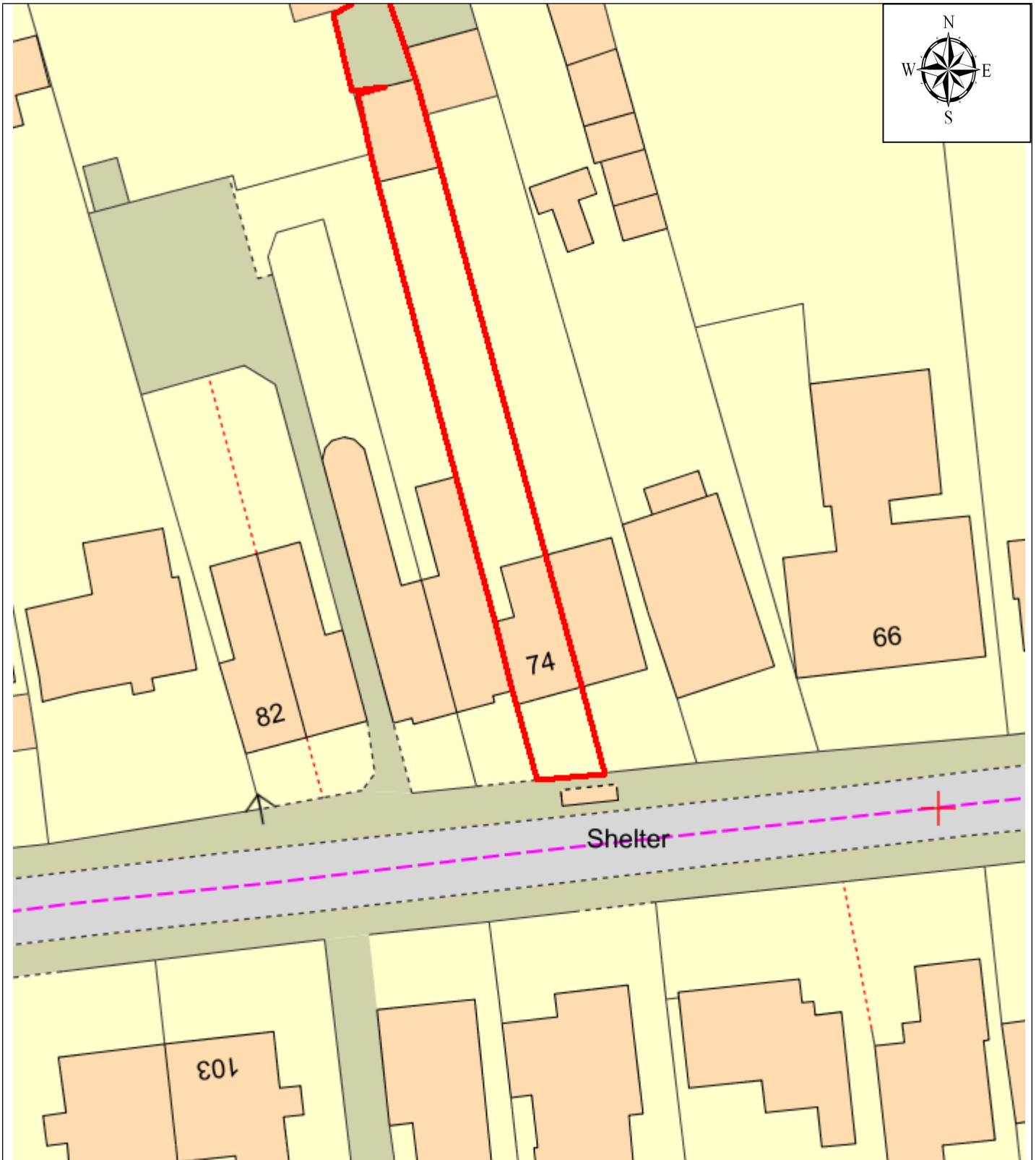
**Site Location
 Plan**

Scale @ A4: 1:1250	Date: Apr '19	Drawn/Checked: BW
Drawing No: 468/001	Rev: -	

Application Number S/19/0743

Proposal Change of use of main dwelling to create 9 bed House in Multiple Occupancy (HMO).

Location: 74 Bath Road Old Town Swindon SN1 4AY



This Plan is for illustrative purposes only and is not intended to provide accurate representation of the development.

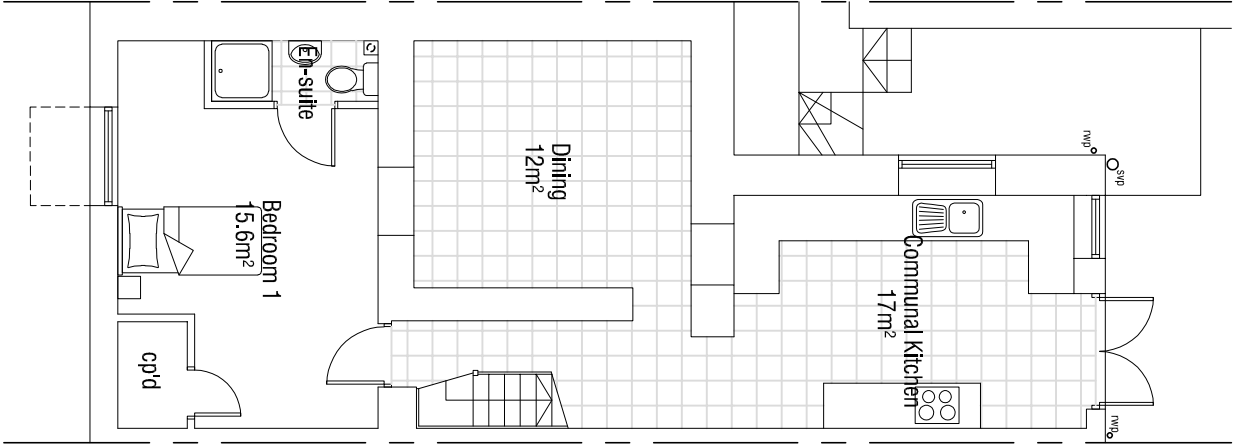
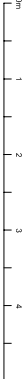
In all cases reference should be made to the submitted plans.

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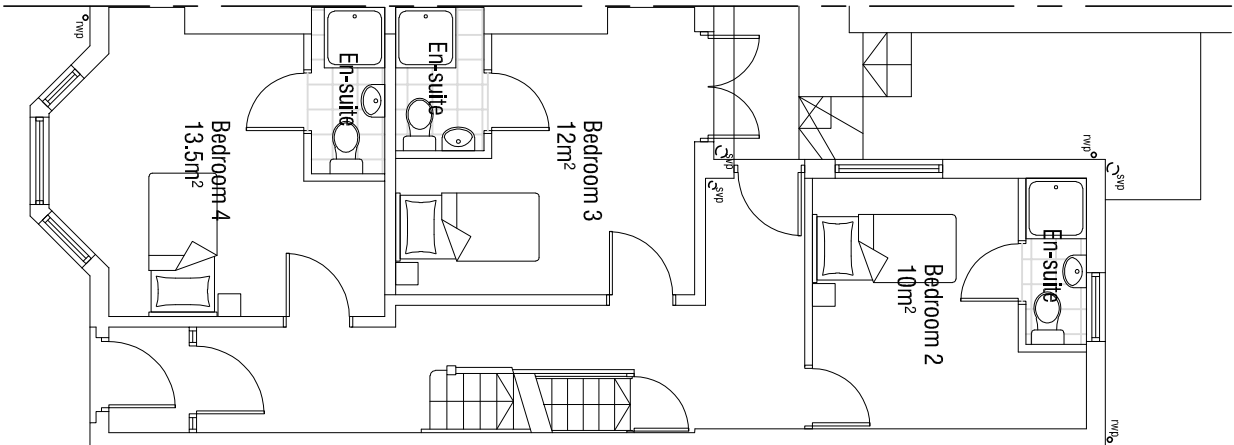
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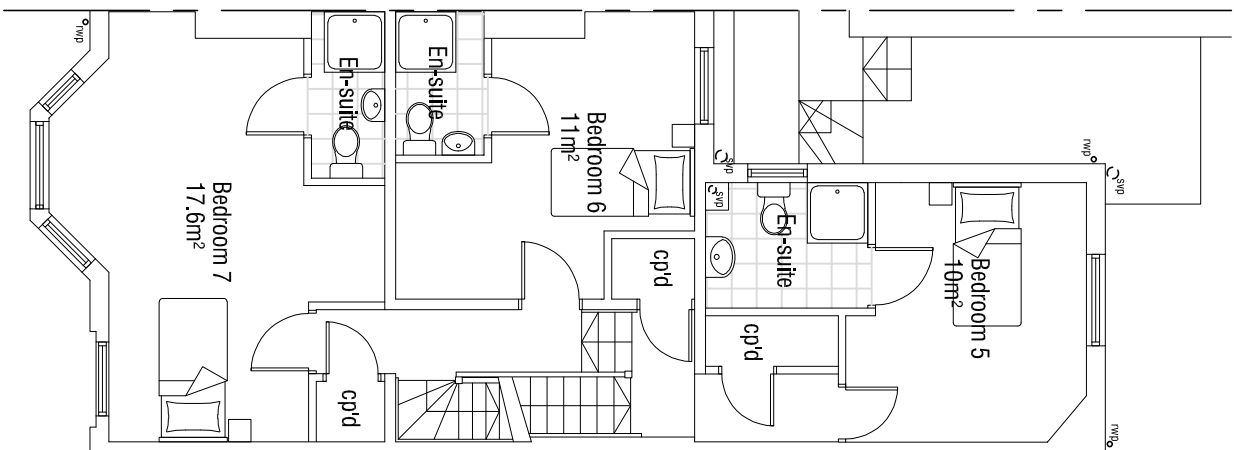
Rev	Date	Reason for Issue	Checked
A	June '19	Reposition door to Bedroom 1 closer to staircase	



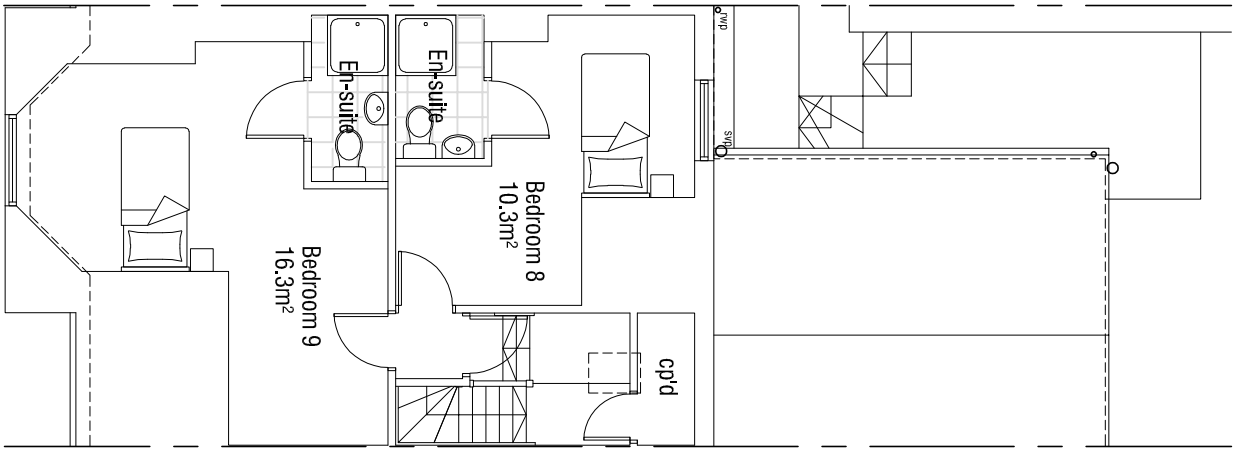
LOWER GROUND FLOOR PLAN



UPPER GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

SCHEDULE OF AREAS USING SWINDON BOROUGH COUNCIL HOUSING STANDARDS GUIDE

SHARED OR COMMUNAL KITCHEN USED BY 1-5 PERSONS = 7.5M²
FOR EACH ADDITIONAL PERSON ADD 1.5M²
FOR 10 PERSONS = 7.5M² + (5 X 1.5M²) = 15M² (PROPOSED SCHEME ILLUSTRATES 17M² + 12M² = 29M²)
NO. OF ROOMS BETWEEN 7.5M² - 10M² WHERE A SHARED LIVING ROOM OF ADEQUATE SIZE IS REQUIRED* = 0
NO. OF ROOMS ABOVE 10M² WHERE THERE IS NO LIVING ROOM REQUIRED = 10

* COMMON LIVING ROOM REQUIREMENTS FOR 1-5 PERSONS = 10M²

BEN WILLIAMS
HOME DESIGN AND ARCHITECTURAL SERVICES
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Web: www.benwilliams.co.uk
Email: info@benwilliams.co.uk

Client: Mr Kirby

Project: 74 Bath Road
Swindon

Title:

Proposed
Floor Plans

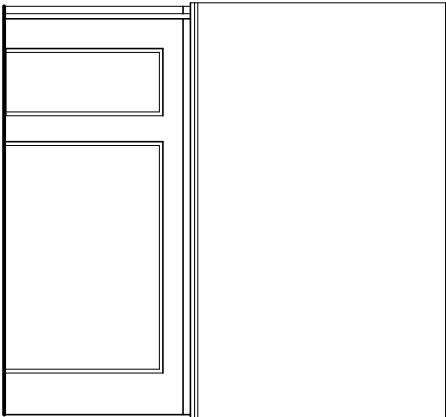
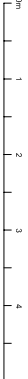
Scale @ A3:	Date:	Drawn/Checked:
1:100	Apr '19	BW

Drawing No:	Rev:
468/100	A

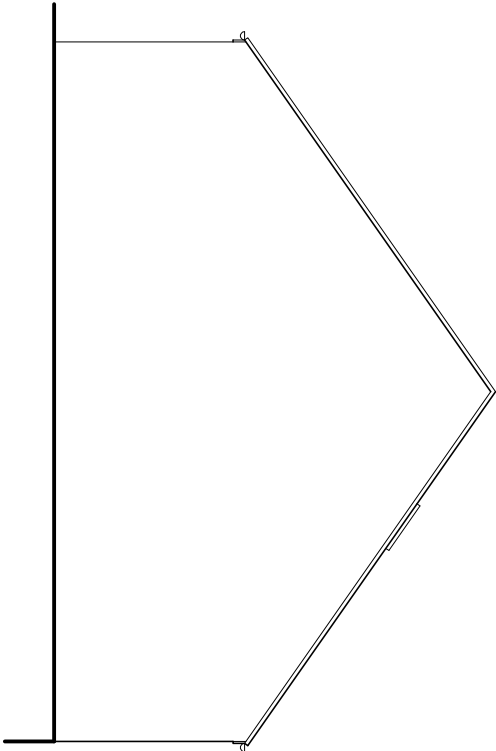
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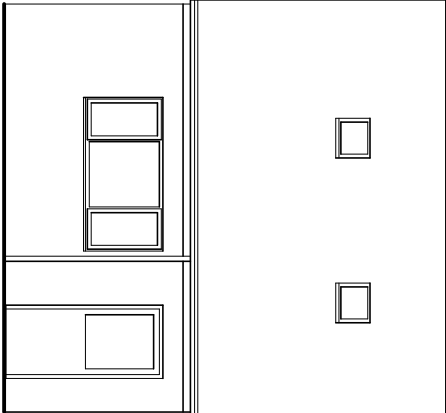
Rev	Date	Reason for Issue	Checked
A	June '19	Removal of bathroom tank to storage	



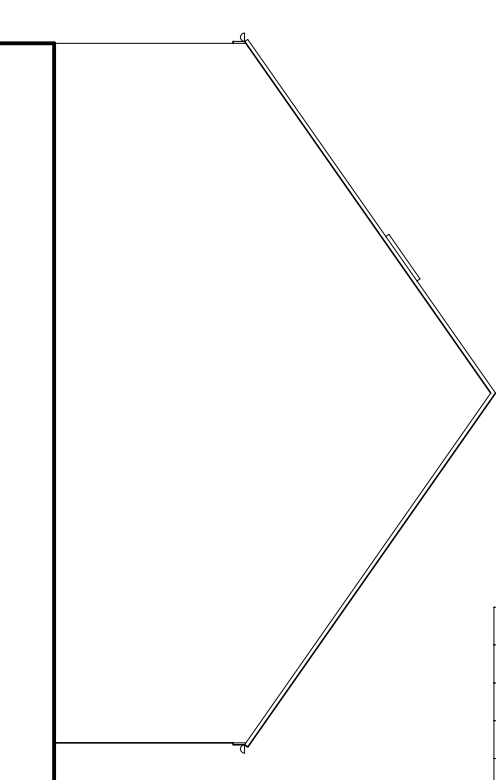
FRONT ELEVATION



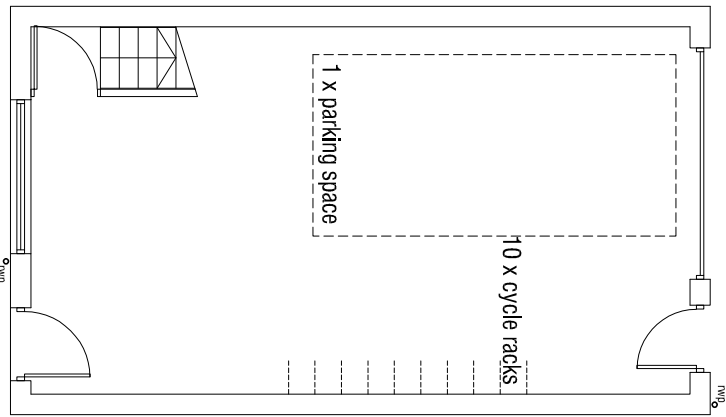
SIDE ELEVATION



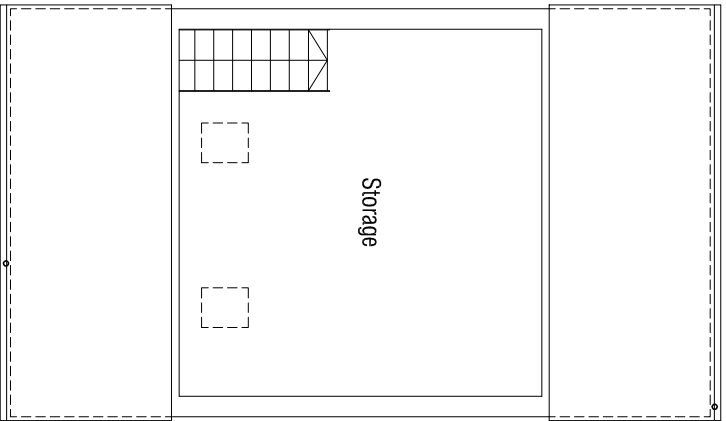
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

BEN WILLIAMS

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Client:

Mr Kirby

Project:

74 Bath Road
Swindon

Title:

Proposed Garage
General Arrangement

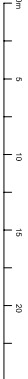
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1:100	Apr '19	BW

Drawing No:	Rev:
468/400	A

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Rev	Date	Reason for Issue	Checked
A	June '19	Revised for 1:500 plan to add site + other enduses	



timber bin enclosure

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Clients:

Mr Kirby

Project:

74 Bath Road
Swindon

Title:

Proposed
Site Plan

Scale @ A3:	Date	Drawn/Checked:
1:500	Apr '19	BW

Drawing No:	Rev:
468/050	A

COMMITTEE REPORT

Item Number:

Application Number: S/19/0743

Ward: Eastcott

Parish: Central Swindon South

Proposal: Change of use of main dwelling to create 9 bed House in Multiple Occupancy (HMO).

Location: 74 Bath Road, Old Town, Swindon

Agent:

Mr Ben Williams
Ben Williams Home Design And
Architectural Services
The Marlestons
Old Town
Swindon
SN1 4NA

Applicant:

Mr Kirby
76 Bath Road
Old Town
Swindon
Swindon
SN1 4AY

Officers Report

Background:

i) This application has been called to the Planning Committee by the Central Swindon South Parish Council due to its proposed house in multiple occupation (HMO) usage.

ii) The proposal was amended from the initial proposal of a 10 bed HMO that included conversion of the rear detached garage to form the 10th bedroom. The garage will now be retained to provide a single car parking space, cycle storage for maximum 10 bicycles and general storage within the roofspace.

iii) Further amendments have been made to the lower ground layout plan in terms of relocation of bedroom 1 access door to adjoin the staircase. The removal of the door from providing direct access to the dining room mitigates impact onto bedroom 1 in terms of privacy, noise and disturbance.

iv) With regard to refuse collection, the applicant has clarified that 'standard' 240litre refuse bins rather than the large Euro 1100litre bins would be provided within a timber enclosure to the front of the property.

Summary of Recommendation:

That planning permission be GRANTED with Conditions

The Proposal:

1. Planning Permission is sought to change the use of existing dwelling to create 9 bed House in Multiple Occupancy (HMO). The property consists of 4 floor levels. At lower ground floor will be a single bedroom, communal kitchen and dining space with direct access to the rear garden. The upper ground floor and first floor consists of 3 bedrooms each and the second floor level has 2 bedrooms. The submitted plans indicate that each bedroom would be en-suite.
2. Refuse bin storage is proposed to the front of the property and cycle storage for maximum 10 bicycles would be within the detached rear garage. Vehicle access to the detached garage is from a service lane to the rear of properties on Bath Road and Lansdown Road.
3. The only external alteration would be the introduction of an external side elevation door from the upper ground floor level. This will provide through access from the front of the property (Bath Road) to the rear garden.
4. Internal alterations would involve the introduction of en-suites to all the bedrooms and further partitioning of upper ground floor to create 3 bedrooms.

The Site and Surroundings:

5. The mid terrace residential property at present includes 5 bedrooms at upper ground, first and second floors. Part of the upper ground floor consists of a large living room with the lower ground floor housing the second living room, dining and kitchen. The site is located in a predominantly residential area with detached garages to the rear of properties with separate vehicular access. As such the property is accessible from Bath Road to the front and a service lane to the rear. The site is located within the Swindon Towns Gardens Conservation Area.

Representations:

6. Neighbours:
Objections received from: 37 and 42 Lansdown Road, 72 Bath Road and 23 Springfield Road
Concerns raised:
 - Inadequate parking as there are already parking problems on this part of Bath Road and to the rear.
 - Applicant owns property behind 70 Bath Road that already causes parking problems (*Officer comments: issues at number 70 are a separate issue from the current application*)
 - Increased amount of traffic using the rear service lane
 - Redline area of the application is inaccurate as it incorporates shared access area (*Officer comments: Right of access is not a planning matter in this instance*)
 - Overprovision of HMOs in the area
 - Application is misleading. Should apply for a hostel or hotel and not an HMO (*Officer comments: there is nothing misleading about the application*)

- The building has no fire proofing
 - Lack of sewage capacity to cater for the additional number of bedrooms
7. Central Swindon South Parish Council: Objection for the following reasons:
- Insufficient cooking hobs – plans for 4, SBC’s HMO standards recommends twice that number
 - Kitchen is on ground floor and residents should not be carrying food upstairs. Communal dining room is not large enough to accommodate all residents at the same time – needs to be 18m² at least
 - Basement bedroom would have insufficient light and window is not fire escape window
 - Plans for bathrooms 1,3,4,6 and 7 show no ventilation
8. Local Highway Authority: No objection subject to a condition requiring submission of a Construction Method Statement and cycle storage provision. The site lies in Sector 1 and does not require parking. The addition of the HMO to the area is unlikely to cause a detrimental impact to the area or surrounding highway. A bin storage area is shown to the front of the property which is sufficient to incorporate refuse collection from Bath Road.
9. Healthy Neighbourhoods: No objection subject to the following
- Dorset and Wiltshire Fire Service will need to make a final comment regarding the suitability of the basement floor (bedroom 1) being used for a bedroom. As a minimum the window must be a fire escapable window current to Building regulations.
 - Bedroom 10 **cannot** be used as a bedroom as the occupant would have no access to a kitchen without exiting the building to enter the main house, this is not acceptable. (N.B. this room has now been omitted)
 - Building Control will make a final comment on the higher standard of fire precautions required for a HMO of this size taking into account the guidance in the LACoRS guide.
 - The room sizes must exclude the floor area of the en-suites.
10. Local Authority Conservation Officer – No objection and recommends the recycling bins being located to the rear and the reinstatement of front garden planting to enhance the character and appearance of the conservation area.

Relevant Policy:

11. The Development Plan
Swindon Borough Local Plan 2026 (2015)
- Policy SD1: Sustainable Development Principles
 - Policy SD2: The Sustainable Development Strategy
 - Policy DE1: High Quality Design
 - Policy HA4: Subdivision of Housing / Houses in Multiple Occupation
 - Policy TR2: Transport and Development.
 - Policy EN10: Historic Environment & Heritage Assets
- Swindon Central Area Action Plan (2009): No relevant policies

- Town Gardens Conservation Area Appraisal (2009)

12. Material Planning Considerations

- National Planning Policy Framework (2012)
- Planning (Listed Building & Conservation Areas) Act 1990
- Technical Guidance on Parking Standards Development Control Guidance Note (2009)

Site History:

13. There has been a number of planning applications associated with the site over time of which none is relevant to the current application.

Planning Considerations:

Principle of the development

14. The Swindon Borough Local Plan was adopted on the 26th March 2015 and is part of the development plan for the Borough. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
15. The relevant considerations are the principle of the development, residential amenity, highway safety and impact onto the Conservation area.
16. The NPPF within the core planning principles states that planning should; always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
17. Local Plan policy SD1 expects development proposals amongst other criteria to be of high quality design, to promote health, safe and inclusive communities and be accessible by walking, cycling and public transport. Policy SD2 expects to realise development opportunities within Swindon's urban area. As a result of the host property being located within Swindon's urban area in an area already characterised by residential usage (including houses, flats and HMOs) and within walking distance of the town centre and old town and is therefore a highly sustainable location in terms of its proximity to such services and public transport (bus-stop to the front of property), it is considered that the principle of development is acceptable.
18. The key Local Plan policy in respect of the conversion of buildings into Houses of Multiple Occupation is policy HA4.

Minimum Floor Area

19. The first bullet point of part (a), states that the internal inhabitable floorspace of the original dwelling should be 100 square metres in area. The present floorspace that will be converted is well in excess of the 100 square metre minimum floorspace.

Character, Appearance and Amenity

20. Part b of Policy HA4 seeks to support mixed and balanced communities and to ensure that a range of household needs continue to be accommodated throughout the Borough. Applications for change of use to HMOs shall only be permitted where the proposal would not adversely affect the character of the surrounding area or lead to an unacceptable concentration of houses in multiple occupation. There is a demand for such types of accommodation within the Borough, particularly in more central locations where prospective occupants may not have access to a private car and are reliant upon access to more sustainable modes of travel for employment, services and leisure activities. The proposal will comply with all the above criterion for HMO's and licensing details from the Council's Healthy Neighbourhoods team confirms that there are only 7 other licensed HMO properties on Bath Road and Lansdown Road. Given the number and mix of properties in this part of Old Town, it is considered that this proposal will not lead to an unacceptable concentration of HMO properties and therefore can be recommended for approval.
21. The second bullet point of part (a) states that proposals for HMO's must not harm the character of the area, street scene or amenity of neighbouring residents including through the provision of parking, refuse and cycle storage. Policy DE1 and the NPPF states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. The immediate area is wholly residential. The only external change is the insertion of a door to the side elevation at upper ground floor level providing direct access from the front to the rear garden. The changes are very minor and therefore the building will retain its full residential appearance and character.
22. It is evident that each of the units would provide acceptable amenity levels for its future occupiers in terms of access to daylight and appropriate privacy levels. Bedroom 1 at lower ground level has a light well that is considered to provide appropriate levels of light. It should be noted that the room has always been in use as a habitable room. The proposal is deemed to be acceptable and will not harm the character of the street scene or host property in line with Policy DE1.
23. It is not considered that the proposed change of use of the single dwelling to a 9 bedroom HMO would have a significant impact on the existing levels of amenity enjoyed by neighbouring properties. There are no external changes to the building that would create loss of light or loss of privacy over and above the existing arrangement. In addition there is no evidence to demonstrate that the more intensive use of the site would result in harmful impact upon the living conditions of the occupiers of neighbouring dwellings.
24. The application has demonstrated that there is sufficient capacity to accommodate refuse bins to the front of the property and bicycle storage within the detached rear garage. The Highways Officer is happy with the provision.
25. Adequate outdoor amenity space is retained in terms of the existing rear garden that is accessible to all future occupants.

The impact on parking and highway safety

26. The site is considered to have good levels of accessibility to public transport links. Whilst concerns have been raised by residents regarding parking, the site is located within Sector 1 as defined by the adopted Parking Standards where Houses in Multiple Occupation can be considered to be “car free” developments with no specific requirement for parking. A planning condition has been added to ensure future occupants are prohibited from receiving car parking permits. It is therefore considered that the proposal will not impede the safety and efficiency of the adjoining highway network and is therefore in conformity with Policy TR2 of the Swindon Borough Local Plan.
27. Whilst not a requirement, the existing parking in terms of the detached garage to the rear would be retained. This ‘car free’ development is therefore not considered to exacerbate any existing car parking problems in the area.
28. The Highways officer recommended a condition for the submission of a Construction Method Statement. However, given that the proposals are for change of use with very minimal alterations to the building that would not generate high levels of construction traffic and the need for storage space for plant and equipment, such a condition would not be justifiable.

Room Sizes and Internal Arrangements

29. In order to comply with bullet point 5 of Policy HA4, room sizes must meet with the internal arrangements to meet the Council’s current standards. All the room sizes meet the minimum 10sqm (not including en-suite floorspace) for one room single person accommodation where there is no shared living room. A communal kitchen 17sqm in area that is in excess of minimum 13.5sqm required for a 9 bed HMO is provided. To avoid the need to carry food to upper floor levels communal dining space 12sqm adjoining the kitchen is also provided. Crucially in the interests of securing safe and habitable living conditions, and particularly ensuring that the development complies with fire safety requirements and regulations, the change of use; if approved will still be subject to mandatory HMO licencing.

Historic Environment Considerations

30. The site is located within Swindon Old Town Conservation Area. The relevant considerations in respect of Conservation issues include the National Planning Policy Framework (NPPF) in respect to requiring sustainable development (including) by way of good design and conserving and enhancing the historic environment and assessing whether harm to the significance of the Conservation Area arises. The relevant Swindon Local Plan policies are DE1 - High Quality Design and EN10 - Historic Environment & Heritage Assets.
31. The scheme does not propose any changes in design and appearance of the building that would result in harm to the setting of the Conservation area. The proposal is not contrary to Local Plan policy ENV10 or the provisions of the NPPF in this respect. The Conservation Officer has not objected to the proposals but recommends that the recycling bins being located to the rear and the reinstatement of front garden planting to enhance the character and appearance of the conservation area. However, some of the properties on this part of Bath

Road have recycling bins located to the front in covered wooden sheds. It is therefore considered that the location of recycling bins to the front that are appropriately covered would not be detrimental to the character of the conservation area. Further they will be located in close proximity to the property. A condition requiring submission of details is proposed. In addition, most properties on this apart of Bath Road have their frontages hardscaped to provide car parking and therefore retaining the hardscaped frontage would not be out of character.

32. Officers are of the opinion that the proposal preserves the character of the conservation area and officers are of the opinion that the benefits of the scheme in securing the overall contribution to the supply of housing, outweigh the minor and 'less than substantial' adverse conservation impacts.

Community Infrastructure Levy

33. The Community Infrastructure Levy Charging Schedule came into effect in April 2015 whereby a mandatory charge is levied for certain types of new floorspace for qualifying development. As a change of use of existing floorspace and as the proposal will not result in the provision of any self-contained residential unit but individual rooms sharing communal facilities, the development falls outside of the scope of the charging scheme and is not liable to CIL.

Other Matters

34. Most of the issues raised have been addressed in the above report. Fire safety, insufficient cooking hobs, en-suites ventilation and sewage capacity concerns have been raised by the Central Swindon South Parish Council and residents, however these are covered by other legislation and appropriate informatives will be added to that effect.

Concluding Comments:

35. The proposal would provide accommodation for young professionals and key workers in Swindon. The proposal would not be detrimental to the amenities of nearby residents, will not give rise to any unacceptable living conditions, will not harm the character of the surrounding Conservation area, will have adequate refuse storage and parking subject to conditions, will not generate any highway safety issues and will not adversely lead to a concentration of HMO properties in the vicinity. The proposal is therefore compliant with the above policies with specific regard to HA4. The minor external changes are deemed to be acceptable in line with policy DE1 and EN10. The proposal is therefore compliant with local plan policies and the National Planning Policy Framework. Finally, the development will also be subject to mandatory licencing under separate legislation.

Recommendation

36. That planning permission be **GRANTED** with Conditions.

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 (1) of the Town & Country Planning Act 1990.
2. This approval shall be in respect of the following drawings: Drawing No. 468/001 Location Plan; Drawing No.s 468/200 and 468/210 Proposed Elevations received 16 May 2019; Drawing No.468/400 Rev A Proposed Garage Arrangement Plan received 6 June 2019; Drawing No. 468/050 Rev A Proposed Site Plan; Drawing No. 468/100 Rev A Proposed Floor Plans received 26 June 2019.
Reason: To define the scope of the development hereby permitted, in accordance with section 72 of the Town and Country Planning Act 1990.
3. Prior the commencement of use of the property as a House in Multiple Occupation, Provision for the storage and collection of refuse / waste shall be provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and shall be retained and maintained thereafter for the duration of the use.
Reason: In the interests of providing suitable waste facilities.
4. Prior the commencement of use of the property as a House in Multiple Occupation, secure parking facilities for no. 9 cycles conforming to Swindon Borough Councils Parking Standards shall be provided within the detached rear garage approved plan 468/400 Rev A and shall be retained and maintained thereafter for the duration of use.
Reason: In the interest of cycle user safety and transport sustainability
5. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the rooms hereby approved the prospective occupier/transferee shall be informed of the prohibition on entitlement to a car parking permit. All material utilised for advertising or marketing the residential flats for letting or sale shall make it clear to prospective tenants and occupiers that no parking permit will be issued by the Council to occupiers of the residential flats.
Reason: In order that the prospective occupiers are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area

Informatives

1. Community Infrastructure Levy – Outside Meaning of Development
The development proposed does not constitute Community Infrastructure Levy (CIL) liable development as the proposed works fall outside the 'meaning of development' for CIL purposes in accordance with the Community Infrastructure Levy (England and Wales) CIL Regulations 2010 (as amended) Regulation 6.
2. Fire Safety

In the interests of safety, the applicant is recommended to incorporate fire prevention measures within the development, such as sprinkler systems. Further advice can be obtained from Wiltshire Fire Brigade by visiting www.wfb.org.uk

3. The approved development is still subject to mandatory Swindon Borough Council Houses in Multiple Occupation licencing requirements.